FEDERAL REGISTER

VOLUME 7 NUMBER 162

Washington, Tuesday, August 18, 1942

The President

EXECUTIVE ORDER 9221

EXTENSION OF THE PROVISIONS OF EXECUTIVE ORDER NO. 9001 OF DECEMBER 27, 1941, TO CONTRACTS OF FEDERAL PRISON INDUSTRIES, INC.

By virtue of the authority vested in me by the act of Congress entitled "An Act to expedite the prosecution of the war effort", approved December 18, 1941, and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of December 27, 1941,[1] to Federal Prison Industries, Inc., with respect to all contracts made or to be made by it; and subject to the limitations and regulations contained in such Executive order, I hereby authorize the Board of Directors of Federal Prison Industries, Inc., and such officers and employees as said Board may designate, to perform and exercise, as to Federal Prison Industries, Inc., all the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission by such Executive order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 15, 1942.

[F. R. Doc. 42-8025; Filed, August 17, 1942; 11:46 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[General Orders No. 26]

PART 101—CONTROL OF FLYING WITHIN THE VITAL AIR DEFENSE AREAS

Headquarters Eastern Defense Command and First Army, Governors Island, New York.

JULY 16, 1942.

§ 101.1 *Eastern Defense Command and First Army.* (a) War Department Circular, dated March 11, 1942, subject: "National Policy of Air Defense Regulations and General Flight Rules", establishes within the Eastern Defense Command, the "Eastern Air Defense Zone", which comprises the air space extending along the Atlantic Coast from the United States—Canadian border to Key West, Florida, thence north along the west coast of Florida to the Apalachicola River, and from the shore line extending 200 miles seaward and 150 miles inland. Said circular prescribes further that: "Additional special restrictions within active defense zones may be imposed by responsible defense commanders as military or naval situations demand". Pursuant to authority of said circular, these regulations are issued as necessary to make possible an effective defense against enemy air attack.

(b) That portion of the Eastern Air Defense Zone east of the line: Weston, Maine; Sebago, Maine; Crafton, Massachusetts; Pawling, New York; Sussex, New Jersey; Pottsville, Pennsylvania; Middleburg, Virginia; Franklin, Virginia; Corolla, North Carolina and the area extending 200 miles to sea is designated a "Vital Air Defense Area", hereinafter referred to as the Area, within which the operation of aircraft is prohibited or is authorized subject to the conditions prescribed herein or hereafter. That portion of the Eastern Air Defense Zone not included in the above defined Area will be covered in future regulations.

(c) The following activities jeopardize the air defense of the Area. They shall be discontinued at the earliest practicable date:

(1) Civil flying training, including Civil Pilot Training Schools.

(2) Civil photographic, news, commuting, pleasure, and other miscellaneous civil flights.

(3) Army and Navy primary, basic, and advanced flying training, other than operational training.

(d) All other flying, Army, Navy and Civil, within the area, is restricted to that which is necessary to the war effort. On local flights, aircraft shall remain as close to the airport as practicable, and in all cases within five miles of its center. For these local flights, no flight plan is required.

(e) (1) All aircraft intending to fly outside a five (5) mile radius from the

(Continued on next page)

[1] 6 F.R. 6787.

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THE PRESIDENT

REGULATIONS AND NOTICES

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FEDERAL REGISTER

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center of the airport shall submit a flight plan and receive approval thereof before take-off. (For exceptions, see paragraph (j) (2) of this section.) In flight they shall adhere strictly to the flight plan as approved, and shall comply with all rules governing flights which are or may be prescribed by the Civil Aeronautics Administration. The flight plan shall contain the following data:

(i) Local flight plan number.

(ii) The aircraft identification number or the name of the governmental service in which the aircraft is employed, if so employed, or the name of the carrier operator and the trip number, if engaged in a scheduled air transportation service.

(iii) The type of aircraft involved and the number of aircraft making the flight, if the aircraft are in formation.

(iv) The name of the pilot, or the flight commander if the aircraft are in formation.

(v) The point of departure of the particular flight for which such plan is being filed.

(vi) The proposed cruising altitude or altitudes.

(vii) The point of first intended landing.

(viii) The proposed cruising airspeed.

(ix) The radio equipment carried in the aircraft. (If no radio—NORDO; if radio receiver only—RONLY; if two-way radio, a statement of transmitter frequency to be used.)

(x) The proposed time of departure. (The time of departure shall be considered as the time when the aircraft leaves the ground.)

(xi) The estimated elapsed time until arrival on the ground at the point of first intended landing. (For scheduled operation, the first stop to be made, together with additional stops if requested by an airway traffic control center.)

(xii) The alternate airport, if the flight is to involve instrument flight.

(xiii) The route and any other pertinent information which the pilot deems useful for control purposes or which may be requested by an airway traffic control center.

(xiv) Purpose of flight or mission.

(2) The flight plan shall be submitted to the Regional Information Center in whose area the flight originates for approval as prescribed in paragraph (e) (1) of this section.

(f) The airways for a distance of thirty miles in all directions from the following radio range stations are narrowed to a width of six miles: Portland, Maine; Boston, Massachusetts; Providence, Rhode Island; Hartford, Connecticut; Elizabeth, New Jersey; Philadelphia, Pennsylvania; Washington, D. C.; Norfolk, Virginia; Charleston, South Carolina. All civil air carriers operating within thirty miles of the above named radio range stations shall make certain that no passenger can see the ground until the aircraft has landed or has reached a point beyond this thirty mile limit.

(g) Each flight originating outside the Area shall enter the Area on a civil airway, proceed along the airways to the point nearest the destination, then proceed direct to the destination. Each flight departing the Area shall proceed direct to the point on the airways nearest the point of departure, then proceed along the airways until outside the Area.

(h) Aircraft on point to point flights within the Area, other than those on missions in defense of the Area, shall follow the civil airways except when the Regional Commander concerned determines that the route between the point of origin and the destination is so circuitous as to render such procedure impracticable. Requests for exceptions in these instances shall be made at the time of filing flight plans.

(i) when an "alert" or "air raid alarm" is ordered, the following restrictions shall govern all non-combat airplanes, and combat airplanes other than those directed by competent military or naval authority to intercept or attack the enemy:

(1) Airplanes on the ground shall remain on the ground.

(2) Airplanes flying locally shall land immediately.

(3) Airplanes flying on flight plans shall land, turn back or proceed as directed by the Commanding General, Fighter Command.

(j) (1) All aircraft authorized, under the provisions of paragraph (d) of these regulations, to operate within a five mile radius of the airport, shall first obtain a clearance from the appropriate Army, Navy or Civil authority before take-off. The clearing authority shall maintain a record of clearances and, upon request, shall furnish the Commanding General, Fighter Command, with data concerning the number of airplanes flying within the five mile radius.

(2) Army and Navy emergency flights, as defined in paragraph 14*a* (4), WD Cir., March 11, 1942, may take off without an approved flight plan when necessary. The Commander responsible for the dispatch of the flight shall report flight plans data without delay to the Regional Information Center concerned by direct line, if available; otherwise through the CAA communications.

(3) Emergency variation from the approved flight plan which affects the route, altitude, or time in excess of ten minutes, shall be reported without delay by radio to the nearest Army, Navy or CAA Airways Communications station for transmission to the nearest Regional Information Center, except when such transmission will jeopardize the successful completion of the mission.

(k) No person or agency, other than the Commanding General, Fighter Command, may establish channels of air traffic, restricted air areas, prohibited air areas, danger zones, identification stations; nor issue instructions, restrictions, or regulations governing air traffic within the described Area.

(l) Authority to order blackouts and to suspend radio broadcasts and other radio emissions is hereby delegated to the Commanding General, Fighter Command.

(m) All persons, military or civilian, except members of antiaircraft artillery units, are prohibited from firing at any aircraft, balloon, or dirigible, or at any parachutists, unless it or he be first positively identified as enemy.

NOTE: Antiaircraft artillery units have separate specific instructions to govern their actions.

(n) Aircraft violating the regulations in this section will be intercepted and forced to the ground by pursuit aircraft. Disciplinary action will be taken against military personnel. Civilian personnel involved will be prosecuted.

By command of Lieutenant General Drum.

[SEAL] KENNETH P. LORD,
Brigadier General, G. S. C.,
Chief of Staff.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7885; Filed, August 13, 1942; 10:12 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 600—DESIGNATION OF CIVIL AIRWAYS

[Amendment No. 8.]

DELETION OF BLUE CIVIL AIRWAY NO. 21

AUGUST 12, 1942.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics[1] as follows:

By striking § 600.10320, *Blue civil airway No. 21* (Grand Rapids, Michigan, to Traverse City, Michigan).

This amendment will become effective 0001 E. S. T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-8021; Filed, August 17, 1942; 11:14 a. m.]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CENTRAL ZONES OF INTERSECTION, CENTRAL AIRPORTS, AND RADIO FIXES

[Amendment No. 12]

DELETION OF BLUE CIVIL AIRWAY NO. 21 (AIRWAY TRAFFIC CONTROL AREAS), BLUE CIVIL AIRWAY NO. 21 (RADIO FIX); REDESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, GREEN CIVIL AIRWAY NO. 6, AMBER CIVIL AIRWAY NO. 7, RED CIVIL AIRWAY NO. 34

AUGUST 12, 1942

Acting pursuant to the authority vested in me by section 303 of the Civil Aeronautics Act of 1938, as amended, and §§ 60.112, 60.22, and 60.23 of the Civil Air Regulations and Special Regulation of the Civil Aeronautics Board, Serial No. 197, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics,[2] as follows:

1. By striking § 601.10321 Blue civil airway No. 21 airway traffic control areas (Grand Rapids, Mich., to Traverse City, Mich.).

2. By striking § 601.40321 Blue civil airway No. 21 (Grand Rapids, Mich., to Traverse City, Mich.).

3. By amending § 601.1006 to read as follows:

§ 601.1006 *Green civil airway No. 6 airway traffic control areas (Corpus Christi, Tex., to Norfolk, Va.).* From Corpus Christi, Tex., to a line extended at right angles across such airway through a point 25 miles northwest of the Norfolk radio range station.

4. By amending § 601.1017 to read as follows:

§ 601.1017 *Amber civil airway No. 7 airway traffic control areas (Key West, Fla., to Caribou, Maine).* All of amber civil airway No. 7.

5. By amending § 601.10234 to read as follows:

§ 601.10234 *Red civil airway No. 34 (Raleigh, N. C., to Pulaski, Va.).* All of red civil airway No. 34.

This amendment will become effective 0001 E. S. T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-8022; Filed, August 17, 1942; 11:14 a. m.]

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[1] 7 F.R. 1417, 1748, 2381, 2834, 4131, 4939, 5367, 5540.

[2] 7 F.R. 378, 523, 597, 841, 1016, 1424, 1743, 2364, 2365, 3468, 4196.

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

[Amendment No. 13]

DELETION OF CONTROL ZONE OF INTERSECTION

AUGUST 12, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, § 60.22 of the Civil Air Regulations, and special regulation of the Civil Aeronautics Board, serial No. 197, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics[1] as follows:

By striking the following control zone of intersection in § 601.2: Raleigh, N. C.

This amendment will become effective 0001 E.S.T., August 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-8023; Filed, August 17, 1942; 11:14 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-27]

PART 27—CANNED FRUIT: DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

CANNED FRUIT COCKTAIL

By virtue of authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1046 and 1055, 21 U.S.C. secs. 341 and 371; the Reorganization Act of 1939, 53 Stat. 561 ff., 5 U.S.C. sec. 133-133r; and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (5 F.R. 2421); and upon the basis of evidence received at the hearing herein; the following order is promulgated hereby.

The regulations hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER. (52 Stat. 1046, 53 Stat. 561ff; 21 U.S.C., sec. 341; 5 U.S.C., sec. 133-133r; and Reorganization Plans Nos. I and IV, 4 F.R. 2727, 5 F.R. 2421).

QUALITY

Findings of Fact

1. The use of canned fruit cocktail for cocktail, salad, and dessert purposes makes an appetizing appearance a relatively important factor in its quality.

2. Insofar as the appearance of canned fruit cocktail is not controlled by natural factors it is largely dependent upon the size and shape of the units of peach, pear and pineapple; upon the absence from the food of cracked or crushed grapes or grapes from which the cap stems have not been removed; upon the absence of adhering peel on the units of pear and peach; upon the freedom of the units of peach, pear, grape and cherry ingredient from blemishes; and upon the uniformity of color of the units of cherry ingredient, when artificially colored cherries are used.

3. Canned fruit cocktail is not of good quality when the units of peach, pear and pineapple are too large for use as a cocktail or dessert or are not of reasonably uniform shape. Such defects impair the utility and appearance of the food. The presence of an excessive number of small units tends to make the product unsightly and to increase the difficulty of heat processing, with resulting disintegration. The size and shape of grapes and of the units of the cherry ingredient are controlled by the natural dimensions of the fruits, and are not sufficiently variable to affect adversely the quality of the product.

4. Throughout the life of the product the units of peach, pear, and pineapple when diced have been diced in machines in which the cutting knives are ordinarily set at one-half inch intervals. Such machines do not always cut units to perfectly uniform size, and the heat processing results in a small amount of shrinkage in the size of the units.

5. The diced units of peach, pear and pineapple are sifted and sorted to remove those which are too large, too small, or misshapen.

6. When cut and sorted in the customary manner such units are usually about one-half inch in each dimension, but there are occasional units having one or more dimensions as great as three-fourths inch. There are also many units having one or more dimensions as small as five-sixteenths inch.

7. When the units of pineapple are sectors rather than dice, they are prepared from rings as such rings are commonly cut for canning. The length and thickness of the sectors is determined by the size of the rings.

8. The sectors of pineapple ordinarily conform to the following dimensions: The length of the outside arc is more than ⅜ inch but is not more than ¾ inch; the thickness is more than 5/16 inch but is not more than ½ inch; the length (measured along the radius from inside arc to outside arc) is more than ¾ inch but not more than 1¼ inch.

9. It is impossible in the exercise of due care under good manufacturing practices to avoid some units of peach, pear and pineapple which fail to conform to the specifications set forth in findings 6 and 8 because of the irregularity of the natural shape of the fruits and because of the impracticability of completely efficient sorting. In addition, when the units are heated in the can, some breakage results. For these reasons a tolerance on units of peach, pear and pineapple which do not conform to such measurements is necessary.

10. The experience of the fruit cocktail canning industry over a period of years demonstrates that where due care is exercised under good commercial practices, not more than 20 percent by weight of the units of peach, 20 percent by weight of the units of pear, or 20 percent by weight of the units of pineapple will fail to conform to such specifications for size. A convenient and accurate method of determining whether the diced units fall below five-sixteenths inch in edge dimensions is to determine whether they pass through the meshes of a sieve designated as five-sixteenths inch in table I of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards.

11. When the units of peach, pear, and pineapple conform to such tolerance, canned fruit cocktail is of acceptable quality to consumers generally in respect of the shape and size of such units for the reason that such units are reasonably uniform in size and shape and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought.

12. Canned fruit cocktail is not of good quality when significant quantities of peel remain on the units of peach and pear since adhering peel on such units is unsightly and unpleasant to eat.

13. Peach peel and pear peel are ordinarily easily removed in their entirety in the preparation of the units of fruit for canning.

14. Occasionally, even when due care is exercised under good manufacturing practices, some adhering peel will escape attention in the hand-sorting of the units and for this reason a tolerance on adhering peel is necessary.

15. The experience of the industry demonstrates that a reasonable tolerance for adhering peel on the units of peach and pear in canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices, is not more than one square inch for each pound of such fruit. For the purpose of applying this tolerance, the weight of such units of peach or pear is computed as that proportion of the weight of the net contents of the container which the weight of such drained units bears to the total weight of fruit drained from the container.

16. When the units of peach and pear conform to such tolerance on adhering peel canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from adhering peel for the reason that such units are relatively free from peel and are acceptable for the customary uses of the food. When the units do not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought.

17. When the units of peach, pear, grape and the cherry ingredient are blemished with scab, hail injury, scar tissue, discoloration, or other abnormalities, they are unappetizing and canned fruit cocktail containing them is not of good quality. Freedom from a substan-

[1] *Supra.*

tial quantity of such blemished units is a significant factor in consumers' preference among canned fruit cocktails. Blemishes on pineapple are not a significant occurrence in the canning of canned fruit cocktail.

18. Some peaches, pears, grapes and cherries are so blemished in their natural condition. Such blemished fruits are ordinarily removed by hand-sorting both by the producer of the fruit and the fruit cocktail manufacturer, but removal cannot be accomplished with absolute efficiency. For this reason a tolerance on blemished units of peach, pear, grape and the cherry ingredient is necessary.

19. The experience of the industry has demonstrated that a tolerance of 20 percent of blemished units of peaches, pears or grapes and of 15 percent of blemished units of the cherry ingredient is a reasonable tolerance for canned fruit cocktail which can be met by the exercise of due care under good manufacturing practices.

20. When the units of peach, pear, grape and the cherry ingredient conform to such tolerance on blemished units, canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from blemishes on such units for the reason that such units are relatively free from blemishes and are acceptable for the customary uses of the food. When the units do not conform to such tolerance, the food is inferior in quality and frequently would not serve the purposes for which it is bought.

21. When the grapes in canned fruit cocktail are crushed or cracked to the extent of being severed into two parts, the canned fruit cocktail is unsightly and unappetizing. Freedom from such grapes is a significant factor in consumers' preferences among canned fruit cocktails.

22. If not carefully handled mature grapes crush easily. Such crushed grapes are ordinarily segregated and discarded, along with grapes which are so cracked, prior to the time they are placed in the can. In the hand-sorting of the fruit, however, some crushed grapes escape attention. Heat-processing of canned fruit cocktail so as to prevent spoilage unavoidably cracks some of the grapes into two parts after they are packed in the container. For these reasons a tolerance on crushed grapes and grapes so cracked is necessary.

23. The experience of the industry has demonstrated that by the exercise of due care under good manufacturing practices not more than 10 percent of the grapes in the finished canned fruit cocktail are cracked to the extent of being severed into two parts or crushed to the extent that their normal shape is destroyed, and that a tolerance of 10 percent of such cracked and crushed grapes is a reasonable tolerance on such grapes for canned fruit cocktail.

24. When the units of grape conform to such tolerance the canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from crushed and cracked grapes for the reason that the food is reasonably free from cracked or crushed grapes and is acceptable for the customary uses of canned fruit cocktail. When the units do not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought.

25. Grapes are attached by a small cap stem to the larger stem of an entire bunch. When a grape is removed from the bunch, the cap stem frequently remains attached to the grape. Such stems are inedible and unsightly and their presence is a significant factor in consumers' preference among canned fruit cocktails.

26. Canned fruit cocktail which contains any significant quantity of grapes with attached cap stems is not of good quality.

27. It is the practice in the industry to remove such cap stems by the use of a stemming machine, followed by inspection and hand removal. Even under careful supervision such operation involves occasional oversights which make a tolerance on attached cap stems necessary.

28. The experience of the industry demonstrates that by the exercise of due care under good manufacturing practices, not more than 10 percent of the grapes in the finished canned fruit cocktail have their cap stems attached, and that a tolerance of 10 percent of grapes with attached cap stems is a reasonable tolerance on such grapes for canned fruit cocktail.

29. When the grapes conform to such tolerance on attached cap stems canned fruit cocktail is of acceptable quality to consumers generally in respect of freedom from grapes with attached cap stems for the reason that it is reasonably free from cap stems and is acceptable for all the customary uses of fruit cocktail. When it does not conform to such tolerance the food is inferior in quality and frequently would not serve the purposes for which it is bought.

30. If the units of cherry ingredient in canned fruit cocktail are artificially colored and each unit is not evenly colored, the appearance of the canned fruit cocktail is impaired and its desirability is lessened. Uniformity of distribution of color on each unit of the cherry ingredient is a significant factor in consumer's preference among fruit cocktails.

31. Artificial coloring does not contribute the same intensity of color to all cherries and for this reason a tolerance on cherries other than uniformly red in color is necessary.

32. Under normal canning operations not more than 15 percent of the cherries remaining after they have been hand-graded are other than uniformly red in color, and a tolerance of 15 percent is a reasonable tolerance on artifically colored cherries other than uniformly red in color.

33. When the artificially colored cherry ingredient conforms to such tolerance canned fruit cocktail is of acceptable quality to consumers generally because its appearance is not materially impaired. When it does not conform to such tolerance it is inferior in quality.

34. When canned fruit cocktail falls below standard in quality in any respect, a statement on the label as follows: "Below Standard in Quality. Good Food—Not High Grade", is a simple, informative and adequate statement of that fact. Because the food is a mixture of several fruits it is not practicable to state on the label in what particular the food falls below standard in quality. Such statement serves its purpose when it appears on the label in the following manner and form:

The statement "Below Standard in Quality Good Food—Not High Grade" is printed in two lines of Cheltenham bold condensed caps. The words "Below Standard in Quality" constitute the first line, and the second immediately follows. If the quantity of the contents of the container is less than 1 pound, the type of the first line is 12-point, and of the second, 8-point. If such quantity is 1 pound or more, the type of the first line is 14-point, and of the second 10-point. Such statement is enclosed within lines, not less than 6 points in width, forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and is so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase.

Upon the basis of the foregoing detailed findings of fact, it is found that the promulgation of the following regulation fixing and establishing a standard quality for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, and specifying the manner and form of a label statement of substandard quality, will promote honesty and fair dealing in the interest of consumers; and that it gives consideration to and makes due allowance for the differing characteristics of the several varieties of the fruits present in canned fruit cocktail.

Regulation

§ 27.041 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Quality; label statement of substandard quality.* (a) The standard of quality for canned fruit cocktail is as follows:

(1) Not more than 20 percent by weight of the units in the container of peach or pear, or of pineapple if the units thereof are diced, are more than ¾ inch in greatest edge dimension, or pass through the meshes of a sieve designated as 5/16 inch in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the National Bureau of Standards, U. S. Department of Commerce. If the units of pineapple are in the form of sectors, not more than 20 percent of such sectors in the container fail to conform to the following dimensions: The length of the outside arc is not more than ¾ inch but is more than ⅜ inch; the thickness is not more than

½ inch but is more than 5/16 inch; the length (measured along the radius from the inside arc to the outside arc) is not more than 1¼ inches but is more than ¾ inch.

(2) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one ten grapes, is cracked to the extent of being severed into two parts or is crushed to the extent that their normal shape is destroyed.

(3) Not more than 10 percent of the grapes in a container containing ten grapes or more, and not more than one grape in a container containing less than ten grapes, has the cap stem attached.

(4) There is present in the finished canned fruit cocktail not more than one square inch of pear peel per each one pound of drained weight of units of pear plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of the units of pear bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(5) There is present in the finished canned fruit cocktail not more than one square inch of peach peel per each one pound of drained weight of units of peach plus the weight of a proportion of the packing medium which is the same proportion as the drained weight of units of peach bears to the drained weight of the entire contents of the can. Such drained weights shall be determined by the method prescribed in § 27.042.

(6) Not more than 15 percent of the units of cherry ingredient, and not more than 20 percent of the units of peach, pear, or grape, in the container is blemished with scab, hail injury, scar tissue or other abnormality.

(7) If the cherry ingredient is artificially colored, the color of not more than 15 percent of the units thereof in a container containing six units or less, is other and of not more than one unit in a container containing six units or less, is other than evenly distributed in the unit or other than uniform with the color of the other units of the cherry ingredient.

(b) If the quality of canned fruit cocktail falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.020 (a), in the manner and form therein specified.

FILL OF CONTAINER

Findings of Fact

1. Canned fruit cocktail is purchased and used by consumers primarily for its fruit content although the liquid present is a necessary and valuable adjunct; and the quantity of fruit units present is a significant factor in consumers' preference among canned fruit cocktails.

2. The maximum quantity of fruit units which can be placed in each size of container is limited by the undesirable effects of forcing too large a quantity of fruit units into the container. Such undesirable effects are that when the quantity of fruit units present is too large, the quantity of liquid present must be so limited that the length of time required for heat-processing would be unduly extended, and this excessive processing would frequently disintegrate the units of fruit and would often damage their flavor and color. In addition sufficient space for enough liquid adequately to sweeten the fruit cocktail would not be available in the case of sweetened canned fruit cocktails.

3. A quantity of fruit units which may be placed in the container under all ordinary circumstances without detrimental effect on the fruit is such quantity as results in a drained weight of units of fruit of not less than 65 percent by weight of the water capacity of the container. Such quantity represents the amount of fruit by weight which experienced producers regard as the maximum quantity of fruit which can always be present, upon the basis of observation and test of a large number of cans of fruit cocktail.

4. The weight of water which a container will hold is a convenient method of specifying the capacity of the container and is well-known to canners generally. The method for determining the water capacity of containers prescribed in §10.010 (a) of the general regulations under the Federal Food, Drug, and Cosmetic Act, as follows, gives accurate, reliable and uniform results under all conditions:

(1) In the case of a container with lid attached by double seam, cut out the lid without removing or altering the height of the double seam.

(2) Wash, dry, and weigh the empty container.

(3) Fill the container with distilled water at 68° Fahrenheit to 3/16 inch vertical distance below the top level of the container, and weigh the container thus filled.

(4) Subtract the weight found in (2) from the weight found in (3). The difference shall be considered to be the weight of water required to fill the container.

In the case of a container with lid attached otherwise than by double seam, remove the lid and proceed as directed in clauses (2) to (4) inclusive, except that under clause (3) fill the container to the level of the top thereof.

5. In order that uniform determinations may be made it is necessary that a fixed method for determining the weight of fruit present be prescribed. A method which gives accurate, uniform, and reliable results under all normal conditions, and which is well-known to canners generally is as follows:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

6. Containers of canned fruit cocktail which contain fruit units in a quantity less than 65 percent by weight of the water capacities of the containers, as determined by the foregoing methods, are not so filled as to promote honesty and fair dealing in the interest of consumers in the absence of a label statement that they are below standard in fill.

7. When canned fruit cocktail is below standard in fill of container the statement on the label, "Below Standard in Fill" is a simple, understandable, and adequate statement of that fact when appearing on the label in the following manner and form:

The statement "Below Standard in Fill" is printed in Cheltenham bold condensed caps. If the quantity of the contents of the container is less than 1 pound, the statement is in 12-point type; if such quantity is 1 pound or more, the statement is in 14-point type. Such statement is enclosed within lines, not less than 6 points in width, forming a rectangle. Such statement with enclosing lines, is on a strongly contrasting, uniform background, and are so placed as to be easily seen when the name of the food or any pictorial representation thereof is viewed, wherever such name or representation appears so conspicuously as to be easily seen under customary conditions of purchase.

Upon the basis of the foregoing detailed findings of fact it is found that the promulgation of the following regulation fixing and establishing a standard of fill of container for canned fruit cocktail, canned cocktail fruits, canned fruit for cocktail, and specifying the manner and form of a label statement of substandard fill of container will promote honesty and fair dealing in the interest of consumers.

Regulation

§ 27.042 *Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail—Fill of container; label statement of substandard fill.* (a) The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 65 percent of the water capacity of the container, as determined by the general method for water capacity of containers prescribed in § 10.010 (a). Such total weight of drained fruit is determined by the following method:

Tilt the opened container so as to distribute the contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter

of the sieve is 8 inches if the quantity of contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L.C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained fruit. The weight so found, less the weight of the sieve, shall be considered to be the total weight of drained fruit.

(b) If canned fruit cocktail falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.020 (b), in the manner and form therein prescribed.

[SEAL] WATSON B. MILLER,
Acting Administrator.

AUGUST 13, 1942.

[F. R. Doc. 42-8024; Filed, August 17, 1942; 11:15 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

[Docket No. A-1382, Part II]

ASSIGNMENT OF AN ADDITIONAL SHIPPING POINT FOR COALS OF DEER STRIP MINE

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of the Bituminous Coal Producers Board for District No. 2 for assignment of an additional shipping point for the coals of the Deer Strip Mine, Mine Index No. 491, in District No. 2 for rail shipment.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on March 30, 1942, by the Bituminous Coal Producers Board for District No. 2 ("District Board No. 2"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The original petition requested changes in freight origin group numbers and shipping points for the coals of certain mines in District No. 2 for rail shipment, and assignment of additional shipping points for the coals of certain other mines in District No. 2. On April 21, 1942, 7 F.R. 3259, the Acting Director issued an order granting temporary relief and conditionally providing for final relief for all mines involved, except Mine Index No. 491. On April 23, 1942, the Acting Director issued an order separating from and designating as Docket No. A-1382, Part II, that portion of the former docket relating to Mine Index No. 491.

A petition of intervention was filed on May 12, 1942, by the Bituminous Coal Producers Board for District No. 3 ("District Board No. 3"). Petitions of intervention were also filed on April 20 and May 16, respectively, by the following code members in District No. 2: The Butler Consolidated Coal Company ("Butler") and the Deer Field Coal Company ("Deer Field").

After due notice to interested persons, a hearing in this matter was held on May 19, 1942, before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by petitioner and by all intervenors. Preparation and filing of a report by the Examiner was waived, and the record was thereupon submitted to the undersigned.

Petitioner requests that the price classifications and minimum prices now effective for the coals of the Deer Strip Mine, Mine Index No. 491, of the Deer Field Coal Company, when shipped on the Bessemer & Lake Erie Railroad ("B&LE") from Bairdford, Pennsylvania, be made effective also for such coals when shipped over the Baltimore & Ohio Railroad ("B&O"), from Gibsonia, Pennsylvania. The Deer Strip Mine is located in Allegheny County, Pennsylvania. This mine now possesses loading facilities on the B&LE at Bairdford, Pennsylvania, about one and one-half miles from the mine workings. The distance from the mine to the requested additional loading point at Gibsonia, Pennsylvania, is about four miles. The road from the mine to the loading facilities is a macadam state highway; no other railroads are crossed.

The port on Lake Erie to which the B&LE gives Deer Strip coals access is Conneaut, Ohio. The bulk of the output of the Deer Strip Mine that has been shipped by rail has moved in the past to Conneaut. Deer Strip coals cannot move to Fairport Harbor, Ohio, over the B&LE. J. S. Carr, Secretary-Treasurer of Deer Field, testified that a distributor to whom the Carr Coal Company (of which company Carr is the majority stockholder) has shipped 30,000 tons of coal through Fairport Harbor during each of the two preceding summers, has agreed to take all the coal that the companies associated with Carr can provide. The source of this tonnage moving to Fairport Harbor was the Carr No. 1 Mine, Mine Index No. 313, located near Universal, Pennsylvania. Carr testified that, because of an increased demand for coal in the Pittsburgh area, it was not believed that the Carr No. 1 Mine could provide the Fairport customer with more than 50 percent of the tonnage that it had provided him in previous years. If the Deer Strip Mine had loading facilities on the B&O, it could help to meet the demand for cargo coal for shipment through Fairport Harbor which the Carr No. 1 Mine cannot fully satisfy.

Carr further testified that Deer Field was negotiating for the purchase of additional stripping equipment for the Deer Strip Mine. If this equipment were obtained, he estimated that the "maximum average capacity," of the mine would be increased from 350 tons a day to 1,000 or 1,200 tons a day. The record shows that ability to ship over the B&O would open up new outlets for Deer Strip coals.

Both District Board No. 3 and Butler opposed the granting of the relief asked for. District Board No. 3 claimed that granting relief would put at an undue competitive disadvantage those producers in District No. 3 who ship coal over the B&O for lake movement. Substantially the same claim was made by Butler in so far as the competitive opportunities of its Wildwood Mine, Mine Index No. 242, are concerned. Both intervening parties maintained that the right to ship from two loading points on two railroads would enable the Deer Strip Mine to obtain, during a shortage of railroad cars, a car supply in excess of its capacity to ship. It was argued by witnesses for both intervenors that an appreciable shortage of cars for lake shipment has prevailed on the B&O for some time. But Witness D. T. Buckley, Chairman of District Board No. 3, admitted, however, that assignment of the B&O loading point at Gibsonia to the Deer Strip Mine would operate to reduce only to a negligible extent the number of cars available to other B&O shippers.

Again, it was claimed by witness Duffy, Traffic Manager of Butler, that permitting the Deer Strip Mine to ship over the B&O would unduly prejudice competitors of that mine because such permission would enable it to reach markets from which it has hitherto been barred, but to which markets certain mines competing with the Deer Strip Mine—and, especially, the Wildwood Mine—have had access. Deer Strip coals have not moved to certain points in Market Areas 7 and 11 apparently because of differentials in freight rates to those points favoring shippers over the B&O as against shippers over the B&LE. Duffy pointed out that the Deer Strip Mine now enjoys advantageous differentials in freight rates on the B&LE to certain other markets as against B&O shippers. He argued that the Deer Strip Mine should not be allowed to enjoy the advantageous differentials which prevail on both railroads. There is no merit in this argument. Permitting the Deer Strip Mine to ship over the B&O will, of course, not enable it to ship to points within Market Areas 7 and 11 at lower freight rates than those at which the Wildwood Mine or other mines now shipping on the B&O must ship. Granting the relief asked for will not serve to disrupt fair competitive opportunities. It will simply give the Deer Strip Mine an opportunity to compete. The Act does not require stifling of competition.

Witness Duffy further contended that possession in the Deer Strip Mine of a shipping point on the B & O was not necessary to a satisfactory marketing of coals produced at that time, and at others with which witness Carr is associated. It was admitted by Carr that 95 percent of the winter output, and 50

percent of the summer output, of the Deer Strip Mine has hitherto moved by truck into the Pittsburgh area. Carr stated, however, that the effect of certain orders of the Office of Defense Transportation would be to preclude Deer Strip coals from moving by truck into the Pittsburgh area. Since the freight rate into the Pittsburgh area from the Carr No. 1 Mine is lower than that into Pittsburgh from the Deer Strip Mine, witness Carr concluded that the Carr No. 1 Mine must handle the expanding Pittsburgh market. On the other hand, witness Duffy denied that the effect of orders issued by the Office of Defense Transportation would be to curb truck movement of Deer Strip coals into the Pittsburgh area and expressed the opinion that the Deer Strip coals could be shipped for lake shipment to the distributor—customer of the Carr Coal Company through Conneaut, instead of Fairport Harbor. This was denied by Carr.

It is not necessary that I determine the effect of pertinent orders of the Office of Defense Transportation on the ability of the Deer Strip Mine to reach Pittsburgh by truck, or determine whether cargoes of coal from mines with which Carr is associated might be assembled under boats at Conneaut as expeditiously as at Fairport Harbor. The record shows that possession of an additional loading point on the B&O at Gibsonia will not involve an uneconomical movement of coals produced at the Deer Strip Mine. Possession of a second loading point will not disrupt the fair competitive opportunities of other producers in District No. 2 or in other districts. Under these circumstances, the undersigned is of the opinion that it is proper to assign to the Deer Strip Mine, Mine Index No. 491, of the Deer Field Coal Company, an additional loading point which will be on the Baltimore & Ohio Railroad at Gibsonia, Pennsylvania. Shipments from this loading point as well as from that at Bairdford, Pennsylvania, will be governed, of course, by the applicable rates assigned to Freight Origin Group No. 46.

Now, therefore, it is ordered, That effective fifteen (15) days from the date hereof § 322.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R–I, and § 322.9 (*Special prices*—(c) *Railroad fuel*) is amended by adding thereto Supplement R–II, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: August 5, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

DISTRICT No. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 *Alphabetical list of code members*—Supplement R–I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
491	Deer Field Coal Company	Deer (Strip)	Freeport	8	Bairdford, Pa., Gibsonia, Pa.	B&LE, B&O	46	E	E	D	D	D	D	D	D	D	(†)	(†)	(†)	(†)	(†)	(†)	(†)

†Indicates no classification or prices effective for these size groups.

NOTE: Freight Origin Group No. 46 will take the same necessary and permissible adjustments as Freight Origin Group No. 41, except for specific destinations in § 322.8, where adjustments applicable to Freight Origin Group No. 84 will apply.

NOTE: The above prices are applicable *only* via the respective Freight Origin Group, Shipping Points, Railroads and Railroad Fuel Group shown for the respective mine. Freight Origin Group, Shipping Points, Railroads and Railroad Fuel Group shown in previous schedules are hereby deleted.

§ 322.9 *Special prices* (c) *Railroad fuel*—Supplement R–II. In § 322.9 (c) in Minimum Price Schedule, add the mine index number in group shown. Group No. 9: 491.

[F. R. Doc. 42–7940; Filed, August 14, 1942; 11:18 a. m.]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT No. 18

[Docket No. A–1476]

ADDITIONAL PRICES

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of Bituminous Coal Producers Board for District No. 18 for additions in minimum prices for certain size groups of coals produced in District No. 18 for rail shipment into Market Area No. 241, for which coals prices for shipment by rail have not heretofore been established.

This is a proceeding instituted upon an original petition dated May 27, 1942, filed May 29, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by the Bituminous Coal Producers Board No. 18 (hereinafter referred to as District Board No. 18). In its petition, District Board No. 18 requests the establishment of minimum prices for certain size groups of coals, produced in District No. 18 for rail shipment into Market Area 241, for which prices for shipment by rail have not heretofore been established.

Pursuant to the Order of the Acting Director dated June 24, 1942, a hearing in the matter was to be held on June 28, 1942.

Pursuant to the Order of the Acting Director dated July 15, 1942, granting a motion by counsel for the petitioner that the hearing be advanced, and after notice to all interested parties, a hearing in the matter was held on July 20, 1942, before Floyd McGown, a duly designated Examiner of the Division, at a hearing room in Washington, D. C. Appearances were entered by District Board No. 18 and the Bituminous Coal Consumers' Counsel.

The preparation and filing of a report by the Examiner were waived by all interested parties and the record was thereupon submitted to the Acting Director.

The matter concerned herewith involves the petition of District Board No. 18 for the establishment of the following minimum prices, in cents per net ton, for the coals in the size groups specified, produced in subdistricts Nos. 1 and 2 of District No. 18 for shipment by rail into Market Area 241.

	Size group No. 11	12	13
SUBDISTRICT NO. 1			
Requested minimum prices	190	170	(1)
SUBDISTRICT NO. 2			
Requested minimum prices	225	200	165

[1] No request for the establishment of a minimum price for Size Group No. 13 coals produced in Subdistrict No. 1 was made, as a minimum price therefor was established by Order of the Acting Director dated September 29, 1941, 6 F.R. 6005, Docket No. A–264.

Minimum prices for the slack sizes set forth in the petition have not been heretofore proposed for Subdistrict Nos. 1 and 2 for the reason that the potential market did not exist. It appears from the record that the districts normally supplying coals to Market Area 241 in the hereinabove specified sizes, would not be able to do so under present demands of defense and army projects in that area, resulting in the necessity for producers from other districts entering into competition in that market area.

From the record it further appears that the coals of Subdistrict 1 are free burning and will proximate 11,000 B. t. u.'s with approximately 11 percent ash and 10 percent moisture, whereas the coals of Subdistrict 2 will proximate 13,000 B. t. u.'s with 15 to 17 percent ash and 5 percent moisture. On this basis, it appears that the coals of Subdistrict 2 are more valuable than the coals of Subdistrict 1.

Upon the basis of the uncontroverted evidence, I find that the proposed minimum prices for rail shipment for coal in the size groups set forth in the petition from Subdistricts 1 and 2 of District 18, to various points of delivery in Market Area 241, properly reflect the relative values of the coals produced in said Subdistricts with relation to their use in the consuming plants in Market Area 241; further that the minimum prices requested as set forth in the original petition are just and equitable as between code member producers in District No. 18 as well as code member producers in other districts with whom the producers in District 18 would compete in Market Area 241, and that said proposed minimum prices will preserve the existing opportunities of those producers to compete fairly in that market area.

For the foregoing reasons and based upon the above Findings of Fact, I conclude that:

1. The Schedule of Effective Minimum Prices for District 18 for All Shipments should be amended as follows:

§ 338.5—By inserting the following prices for Subdistrict No. 1 (Gallup) for shipment into Market Area 241:

Size groups	11	12
	190	170

§ 338.5—By inserting the following prices for Subdistrict No. 2 (Cerrillos) for shipment into Market Area 241:

Size groups	11	12	13
	225	200	165

2. Such change in the Schedule of Effective Minimum Prices for District 18 for All Shipments will properly effectuate the purposes of section 4 II (a) and (b) of the Act and comply with all the standards thereof.

Now, therefore, it is ordered, That effective fifteen (15) days from the date hereof § 338.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: August 6, 1942.

[SEAL] E. BOYKIN HARTLEY,
Acting Director.

DISTRICT NO. 18

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 338, Minimum Price Schedule 1 for District No. 18 and Supplements thereto.

§ 338.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R. Insert the following additional minimum f. o. b. mine prices in cents per net ton for shipment via rail transportation into Market Area 241:

SUBDISTRICT NO. 1—GALLUP

	Size groups	
	11	12
Market Area 241	190	170

SUBDISTRICT NO. 2—CERRILLOS

	Size groups		
	11	12	13
Market Area 241	225	200	165

[F. R. Doc. 42-7839; Filed, August 14, 1942; 11:18 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII

REGULATIONS RELATING TO SECURITIES

[Amendment 1]

AUGUST 4, 1942.

The Regulations Relating to Securities, issued July 3, 1942 (§ 133.2),[1] are hereby amended as follows:

1. By inserting after § 133.2 (b) (1) the letter (i), and adding the following new subdivision to said paragraph (b) (1):

(ii) Subject to the provisions of subparagraph (3) of this paragraph, all securities physically within the Territory of Hawaii issued by private corporations organized under the laws of, and having their principal place of business in the Territory of Hawaii, whether held in safe deposit boxes or otherwise, are hereby required to be placed, on or before September 1, 1942, in a securities custody account with a domestic bank in the Territory, and after September 1, 1942, no person other than a domestic bank shall have physical possession or custody of any such security within the Territory. In lieu of deposit in a securities custody account any security may, on or before September 1, 1942, be deposited in the mails for transmittal, or otherwise exported, to the continental United States. Except as otherwise provided, the provisions of paragraph (a) (3) of this section shall be complied with in the case of any such export or shipment.

2. By deleting § 133.2 (b) (4) and substituting therefor the following:

(4) (i) Unless otherwise exempted by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TFR–H400 with the Office of the Governor of Hawaii with respect to all securities held pursuant to subparagraph (1) (i) of this paragraph at the close of business on August 1, 1942. Such report shall be filed as soon as practicable, and in no event later than August 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TFR–H401 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after August 1, 1942.

(ii) Unless otherwise exempted by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TFR–H400 with the Office of the Governor of Hawaii with respect to all securities held pursuant to subparagraph (1) (ii) of this paragraph at the close of business on September 1, 1942. Such report shall be filed as soon as practicable and in no event later than September 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TFR–H401 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after September 1, 1942.

(iii) Persons required to file reports on Form TFR–H400 and Form TFR–H401 shall maintain a record in triplicate on Form TFR–H402 in a manner which will facilitate the completion of such form in a brief period of time. Reports on Form TFR–H402 shall be filed in triplicate in accordance with the instructions contained on such form.

(iv) Unless otherwise exempted by special license based upon satisfactory evidence that adequate records are maintained in the continental United States, every private corporation organized under the laws of the Territory of Hawaii shall file, on or before September 15, 1942, a report under oath, in triplicate, with the Office of the Governor of Hawaii setting forth a list of all of its security

[1] 7 F.R. 5508.

holders of record as of September 1, 1942. Weekly supplemental reports under oath, in triplicate, shall be filed with the Office of the Governor of Hawaii with respect to any changes in such holdings of record after September 1, 1942.

3. By deleting the text of § 133.2 (d) (1) and substituting therefor the following:

(d) *General provisions.* (1) Any person whose total holdings of securities of any kind physically within the Territory of Hawaii, had, on July 15, 1942, an aggregate market value, or, in the absence thereof, an estimated value, of less than $100.00, may continue to hold such securities without regard to paragraphs (a) and (b) of this section, and any person whose total holdings of securities physically within the Territory of Hawaii, issued by private corporations organized under the laws of, and having their principal place of business in the Territory of Hawaii, had, on July 15, 1942 an aggregate market value, or, in the absence thereof, an estimated value, of less than $300.00, may continue to hold such securities without regard to Title II of these regulations: *Provided, however,* That securities held pursuant to this section may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, unless the provisions of Titles I and II are fully complied with immediately upon the completion of any such transaction.

[SEAL] CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7983; Filed, August 15, 1942; 10:18 a. m.]

PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII; APPENDIX

[Public Circular No. HS-2]

CERTIFICATION OF SECURITIES WHICH MAY BE SENT TO CONTINENTAL UNITED STATES

AUGUST 5, 1942.

The Office of the Governor of Hawaii, Foreign Funds Control, is prepared to certify as to securties which may be sent to the continental United States pursuant to § 133.2 (b) (1) of the Regulations Relating to Securities, as amended.[1] Persons desiring to obtain the certification of the Foreign Funds Control with respect to securities to be sent to the continental United States by registered mail will be required to observe the following procedure:

(a) Securities to be shipped to the continental United States will be described on Form TFR-H31, which is to be executed in quadruplicate and filed with a representative of the Office of the Governor of Hawaii, Foreign Funds Control, at the time the package or envelope containing the securities is presented to such office. Persons who wish to avail themselves of these facilities may bring the securities to be shipped together with a description thereof on Form TFR-H31 to a representative of the Office of the Governor of Hawaii, Foreign Funds Control, stationed in the registry lobby of the Honolulu Post Office, in the Federal Building, Honolulu, T. H.

(b) A representative of the Office of the Governor of Hawaii will check such securities against the description thereof on Form TFR-H31 and, if it appears that the securities to be forwarded to the continental United States are the securities described in said report and that the description thereof on Form TFR-H31 is adequate, such representative will sign the certification on Form TFR-H31, and will attach clearance certificate TFEL-2 to such securities as have been perforated. One copy of such certification will be returned to the person submitting the securities for identification, two copies thereof will be forwarded by the Office of the Governor of Hawaii, Foreign Funds Control, to the United States Treasury Department, Washington, D. C., and one copy will be retained by the Office of the Governor of Hawaii, Foreign Funds Control.

(c) The securities will be placed in the package or envelope by the person submitting the same for verification, and the package or envelope will be sealed in the presence of a representative of the Office of the Governor of Hawaii, Foreign Funds Control.

(d) Such package or envelope will be returned to the person submitting the same, who will at the time deliver it, under the observation of a representative of the Office of the Governor of Hawaii, Foreign Funds Control, to the post office for transmission by registered mail to the continental United States.

Neither the Office of the Governor of Hawaii, Foreign Funds Control, nor the United States Treasury Department assumes any responsibility whatsoever for the mailing of such securities, and such mailing will be effected by the person shipping such securities to the continental United States. The certification contained on Form TFR-H31, signed by a representative of the Office of the Governor of Hawaii, is not in any way to be regarded as a guaranty, either by the Office of the Governor of Hawaii or the United States Treasury Department, of the genuineness of the securities described or of their subsequent reissuance in the event of loss or destruction. However, in the event of loss or destruction of any such security, copies of the certification on Form TFR-H31 with respect thereto will be available at the United States Treasury Department, Washington, D. C.

After a package or envelope has been sealed in the presence of a representative of the Office of the Governor of Hawaii, Foreign Funds Control, the contents of such package must not in any way be changed or altered.

CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7984; Filed, August 15, 1942; 10:19 a. m.]

[1] 7 F.R. 5808 and *supra.*

PART 135 — GENERAL LICENSES ISSUED UNDER SECURITIES REGULATIONS OF THE GOVERNOR OF HAWAII

[General License HS-1]

SECURITIES NOT PRESENTED WITHIN PRESCRIBED TIME LIMITS; AFFIDAVIT REQUIREMENT

AUGUST 5, 1942.

§ 135.1 *General license HS-1.* A general license is hereby granted authorizing any domestic bank, the Treasurer of the Territory of Hawaii, or any other person authorized to perforate and/or accept securities for deposit in securities custody accounts, pursuant to the Regulations Relating to Securities (§ 133.2),[1] to continue to perforate securities, and, in the case of securities of the type referred to in § 133.2 (b) (1) (i), to continue to accept such securities for deposit in securities custody accounts: *Provided,* That an affidavit in triplicate shall be obtained from any person presenting securities for perforation or deposit pursuant to this general license, stating in detail why such securities were not presented within the time limits fixed by § 133.2. Such affidavits shall be filed promptly by persons receiving them with the Office of the Governor of Hawaii.

This license shall expire at the close of business on August 15, 1942.

CHAS. M. HITE,
Acting Governor of Hawaii.

[F. R. Doc. 42-7985; Filed, August 15, 1942; 10:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Amendment 6 to Limitation Order L-30[2]]

Paragraph (b) (9) of § 1052.1 *General Limitation Order L-30* is hereby amended to read as follows:

(9) During the period of two months beginning August 1, 1942, no manufacturer shall use more iron and steel in his total production of:

(i) Group I products than two times 70% of his average monthly use of scarce materials in the production of such products in the base period, or

(ii) Group II products than two times 50% of his average monthly use of scarce materials in the production of such products in the base period,

except that a manufacturer may use in the production of Group I products any part of his quota of iron and steel for Group II products: *Provided,* That he reduces his quota of iron and steel for Group II products by an equivalent amount.

[1] 7 F.R. 5808, and *supra.*

[2] 7 F.R. 2463, 2785, 3473, 4450, 5045, 5939.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F.R. Doc. 42-7986; Filed, August 15, 1942; 11:45 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 15 to Supplementary Order M-15-b-1]

Section 940.5 *Supplementary Order M-15-b-1*[1] is amended as follows:

1. By inserting immediately after paragraph (b) (18) thereof the following new paragraph designated (b) (19):

(19) Rubber covered rolls (except washing machine wringers, printer, finger print and business machines), List 19.

2. By attaching thereto the attached list designated List 19. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 19

Specifications for the manufacture of rubber covered rolls

(Except washing machine wringers, printer, finger print and business machines)

No person shall consume crude rubber, latex, reclaimed rubber, scrap rubber or synthetic rubber in the manufacture of rubber covered rolls enumerated below in subdivision (b) of this List 19 except in accordance with the specifications herein prescribed.

(a) *Compounds*

(1) RUBBER COMPOUNDS

Grade	Maximum percent by volume	
	Crude rubber	Total RHC
M-C	85	85
M-D	80	80
M-E	75	75
M-F	70	70
M-G-1	65	65
M-H-2	60	80

[1] 7 F.R. 967, 2344, 2346, 2449, 2595, 2782, 4480, 4448, 5019, 5296, 5592, 5603, 5748, 5984, 6071, 6211.

(2) SYNTHETIC RUBBER COMPOUNDS

Grades			Total SRV
Butadiene	Chloroprene	Polysulfid	
M-SB-5	M-SN-5	M-ST-2	85 70

NOTE 1: The total rubber hydrocarbon (RHC) is the sum total of crude rubber and the average rubber value of reclaimed rubber expressed on a volume basis.

NOTE 2: The total synthetic rubber value (SRV) is the total synthetic rubber expressed on a volume basis.

NOTE 3: Where crude rubber or reclaimed rubber is mixed with synthetic compounds or where a mixture of synthetics is used, the R. H. C. volume plus the S. R. V. volume shall not exceed the maximum S. R. V. by volume of the grade specified.

NOTE 4: Compounds of lower rubber and rubber hydrocarbon (RHC) content may be used in manufacturing rubber covered rolls listed in this List 19, provided the physical and service requirements, where specified, are met.

(b) *Rubber covered rolls*

(1) Roll covering compounds for each of the types of rolls listed in Table A below shall be made from the grade of compounds (as listed in subdivision (a) (1) and (a) (2) of this List 19) specified for such type in Table A.

Table A

Pusey & Jones Plastometer (hardness—1/8" ball):	*Grade of compound*
Above 220	M-C, M-SB-5, M-SN-5 or M-ST-2.
180-220	M-D, M-SB-5, M-SN-5 or M-ST-2.
90-180	M-E, M-SB-5, M-SN-5 or M-ST-2.
60- 90	M-F, M-SB-5, M-SN-5 or M-ST-2.
0- 60	M-G-1, M-SB-5, M-SN-5 or M-ST-2.
Base rubber for rolls of all hardnesses	M-H-2.

(2) The cover thickness of each of the types of rolls listed in table B below shall not exceed that specified for such type in table B.

Table B

Industry	Type of roll	Maximum cover thickness
Paper		
Group I	Press, smoothing, sizing, lump breaker, breast pad.	3/4" on rolls up to and including 24" core diameter. 7/8" on rolls of larger core diameter.
	Waxing—all types	1/2".
	Baby, monkey and primary press.	When used as top roll 3/4"; when used as bottom roll 1/2".
Group II	Suction press	7/8".
	Couch, including cylinder wet machine and extractor.	1 1/4".
	Couch, for deckers, thickeners, save-alls, and washers.	1/2".
	Felt, table, wire carrier, guide.	1/4".
	Worm felt	1/4" over-all.
	Draw cutters (wormed).	1/2" over-all.
	Coating	1".

NOTE 1: Coverings for the classes of rolls described in Group II above may be applied only to cores already in use as a component part of the machine. No new cores for existing or new machines may be covered with rubber.

NOTE 2: Embossing rolls shall not be rubber covered.

[Textile industry for dyeing, bleaching and finishing industry]

Type of roll	*Maximum cover thickness, inch*
For flat goods service:	
Top rolls—all types	5/8
Bottom rolls	3/4
For rope form and warp yarn service:	
Top rolls—all types	3/4
Bottom	3/4
For other services, including jig, beam, immersion guide, and where protective covering against corrosive chemicals is required	1/4

NOTE: Wool scouring rolls may be made to existing dimensions.

Tanning Industry

Type of roll	*Maximum cover thickness, inches*
Splitting machines	1
Setting-out, buffing, fleshing, putting-out, unhairing	3/4
Wringer, shaving, breast and staking	1/2
Steel mills	
Electrolytic and tinning	5/8
Scrubber	1 1/2
Carrier and support	1
Dancer and immersion	3/4
Acid	3/4
Pinch	1 1/2
Polishing	1 1/4
Bonderizing	3/4

NOTE: On all rolls where ends, shafts or shoulders are protected from corrosion with coverings, the thickness shall not exceed 1/4". For all other industrial rolls (except those excluded in the caption of this List 19) a thickness of covering in excess of 3/4" maximum is prohibited.

[F. R. Doc. 42-7990; Filed, August 15, 1942; 11:46 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 12 as Amended August 10, 1942]

ESTABLISHING REBATING PROCEDURES

Corrections

In paragraph (d) (2) (i) of § 944.33, appearing on page 6257 of the issue of Wednesday, August 12, 1942, the first sentence should read as follows:

(i) The PRP Unit shall first determine, as of the latest practicable date, (*a*) the total dollar amount of all unfilled orders placed with it which are scheduled for production (though subject to postponement or cancellation in case of receipt of higher rated orders), and (*b*) the percentage of such dollar amount covered by each grade of preference rating, taking into account all changes of ratings as of said date.

In paragraph (d) (2) (ii) the last sentence should read as follows:

However, in cases where detailed examination of outstanding purchase orders would be impracticable, reasonable estimates may be made, and physical segregation of material obtained under different ratings is not required: *Provided,* That the amounts of each kind of material used to fill orders bearing different ratings do not exceed the amounts permitted by compliance with said limitations.

Paragraph (e) (2), appearing on page 6258, should read as follows:

(2) Each person rerating any delivery to be made to him shall maintain at his regular place of business for not less than two years copies of all rerating certificates issued by him, records of the basis of each determination of a new rating pattern made by him pursuant to paragraph (d) (2) of this regulation, and all rerating directions or certificates received by him, upon which he relies as entitling him to rerate such deliveries. In the case of a PRP Unit applying ratings pursuant to paragraph (d) (2) of this regulation, such records must clearly indicate which rating pattern has been used with respect to each order rated or rerated by the Unit. All such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection. Notices to suppliers shall be signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Extension 1 of Supplemental General Imports Order M-63-b]

Supplemental General Imports Order M-63-b[1] (§ 1042.3) is hereby extended, to expire at 12:00 midnight September 30, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7987; Filed, August 15, 1942; 11:45 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Amendment 3 to Schedule II to Limitation Order L-42]

The following fittings are added to Table 2 of the Appendix to § 1076.3 (Schedule II[1] to Limitation Order No. L-42):

Reducing Tees

1 x 1 x ¼"	4 x 2½ x 3"
1 x ¼ x 1"	4 x 2 x 3½"
1¼ x 1 x 2"	3½ x 3½ x 4"
1½ x 1 x ½"	3½ x 3 x 4"
1½ x ½ x 1¼"	3½ x 2½ x 4"
1¼ x 1 x 1¼"	3½ x 2 x 4"
2 x 1¼ x 1"	3 x 2½ x 4"
2 x 1 x 1½"	5 x 5 x 3½"
2 x 1 x 1¼"	5 x 4 x 3½"
2 x ½ x 1½"	5 x 4 x 3"
1¼ x 1¼ x 2"	5 x 4 x 2½"
1½ x 1 x 2"	5 x 4 x 2"
1¼ x 1 x 2"	5 x 4 x 1½"
2½ x 1¼ x 2"	5 x 4 x 1¼"
2½ x 1¼ x 1¼"	5 x 3½ x 5"
2½ x 1 x 2"	5 x 3½ x 4"
2½ x ½ x 2"	5 x 3½ x 3½"
2 x 1½ x 2½"	5 x 3½ x 3"
2 x 1 x 2½"	5 x 3 x 5"
2 x 1¼ x 2½"	5 x 3 x 4"
3 x 2½ x ½"	5 x 3 x 3½"
3 x 1½ x 2½"	5 x 2½ x 5"
3 x 1¼ x 2½"	5 x 2½ x 4"
3 x 1 x 2½"	5 x 1½ x 5"
2½ x 2 x 3"	5 x 1¼ x 5"
2½ x 1½ x 3"	4 x 3½ x 5"
2½ x 1¼ x 3"	4 x 3 x 5"
2½ x 1 x 3"	4 x 2½ x 5"
3½ x 3 x 3½"	3½ x 3½ x 5"
3½ x 3 x 3"	3½ x 3 x 5"
3½ x 3 x 2½"	3 x 3 x 5"
3½ x 3 x 2"	6 x 6 x 3½"
3½ x 3 x 1½"	6 x 5 x 6"
3½ x 3 x 1¼"	6 x 5 x 3½"
3½ x 3 x 1"	6 x 5 x 1½"
3½ x 2½ x 3½"	6 x 5 x 1¼"
3½ x 2½ x 3"	6 x 3½ x 6"
3½ x 2½ x 2½"	6 x 3½ x 5"
3½ x 2 x 3½"	6 x 3 x 5"
3½ x 2 x 3"	6 x 3 x 4"
3½ x 1½ x 3½"	6 x 1½ x 6"
3½ x 1¼ x 3½"	6 x 1¼ x 6"
3½ x 1 x 3½"	5 x 4 x 6"
3 x 3 x 3½"	5 x 3½ x 6"
3 x 2½ x 3½"	5 x 3 x 6"
3 x 1½ x 3½"	4 x 3½ x 6"
2½ x 2½ x 3½"	8 x 8 x 3½"
4 x 3½ x 4"	8 x 8 x 3"
4 x 3½ x 3½"	8 x 8 x 2½"
4 x 3½ x 3"	8 x 8 x 2"
4 x 3½ x 2½"	8 x 6 x 6"
4 x 3½ x 2"	8 x 6 x 5"
4 x 3½ x 1½"	8 x 6 x 4"
4 x 3½ x 1¼"	8 x 5 x 5"
4 x 3½ x 1"	8 x 4 x 8"
4 x 3 x 3½"	8 x 2 x 8"
4 x 2½ x 3½"	6 x 5 x 8"

Reducing Crosses

1¼ x 1½ x 1 x 1"	3½ x 3 x 2 x 2"
1½ x 1¼ x 1 x 1"	3½ x 3 x 1½ x 1½"
2 x 2 x 1 x 1"	3½ x 3 x 1¼ x 1¼"
2 x 1½ x 1¼ x 1¼"	4 x 4 x 3½ x 3½"
2 x 1½ x 1 x 1"	4 x 4 x 3 x 3"
2½ x 2½ x 2 x 2"	4 x 4 x 2½ x 2½"
2½ x 2½ x 1½ x 1½"	4 x 4 x 2 x 2"
2½ x 2½ x 1¼ x 1¼"	4 x 4 x 1½ x 1½"
2½ x 2½ x 1 x 1"	4 x 4 x 1¼ x 1¼"
2½ x 2 x 2 x 2"	4 x 4 x 1 x 1"
2½ x 2 x 1½ x 1½"	4 x 3½ x 2½ x 1"
2½ x 2 x 1¼ x 1¼"	4 x 3½ x 2 x 2"
2½ x 2 x 1 x 1"	4 x 3½ x 1½ x 1½"
2½ x 1½ x 1½ x 1"	4 x 3½ x 1¼ x 1¼"
2½ x 1½ x 1¼ x 1¼"	5 x 5 x 4 x 4"
3 x 3 x 2½ x 2½"	5 x 5 x 3½ x 3½"
3 x 3 x 2 x 2"	5 x 5 x 3 x 3"
3 x 3 x 1½ x 1½"	5 x 5 x 2½ x 2½"
3 x 3 x 1¼ x 1¼"	5 x 5 x 1½ x 1½"
3 x 3 x 1 x 1"	5 x 5 x 1¼ x 1¼"
3 x 2½ x 2 x 2"	5 x 4 x 2½ x 2½"
3 x 2½ x 1½ x 1½"	5 x 4 x 2 x 2"
3 x 2½ x 1¼ x 1¼"	5 x 5 x 2 x 2"
3 x 2½ x 1 x 1"	6 x 6 x 5 x 5"
3½ x 3½ x 3 x 3"	6 x 6 x 4 x 4"
3½ x 3½ x 2½ x 2½"	6 x 6 x 3½ x 3½"
3½ x 3½ x 2 x 2"	6 x 6 x 3 x 3"
3½ x 3½ x 1½ x 1½"	6 x 6 x 2½ x 2½"
3½ x 3½ x 1¼ x 1¼"	6 x 6 x 2 x 2"
3½ x 3½ x 1 x 1"	6 x 6 x 1½ x 1½"
3½ x 3 x 2½ x 2½"	8 x 8 x 6 x 6"
8 x 8 x 4 x 4"	

Reducers-Eccentric

1¼ x 1	1½ x ¾
1¼ x ¾	2 x 1½
1½ x 1¼	2 x 1¼
1½ x 1	2 x 1

[1] 7 F.R. 4880.

[1] 7 F.R. 1571, 2351, 2626, 3713.

Reducers-Eccentric—Continued

2 x ¾	4 x 2½
2½ x 2	4 x 2
2½ x 1½	4 x 1½
2½ x 1¼	4 x 1¼
2½ x 1	4 x 1
3 x 2½	5 x 4
3 x 2	5 x 3½
3 x 1½	5 x 3
3 x 1¼	5 x 2½
3 x 1	5 x 2
3½ x 3	6 x 5
3½ x 2½	6 x 4
3½ x 2	6 x 3½
3½ x 1½	6 x 3
3½ x 1¼	6 x 2½
3½ x 1	6 x 2
4 x 3½	8 x 6
4 x 3	8 x 5

(b) The following fittings are added to Table 5 of the Appendix to § 1076.3 (Schedule II to Limitation Order No. L-42):

Bushings-Eccentric

1¼ x ¾	3½ x 2
1¼ x ½	3½ x 1½
1½ x ¾	3½ x 1¼
1½ x ½	4 x 3
2 x 1¼	4 x 2½
2 x 1	4 x 2
2 x ¾	4 x 1½
2 x ½	4 x 1¼
2½ x 1½	4 x 1
2½ x 1¼	5 x 4
2½ x 1	5 x 3½
2½ x ½	5 x 3
3 x 2	5 x 2½
3 x 1½	5 x 2
3 x 1¼	6 x 4
3 x 1	6 x 3
3 x ¾	6 x 2½
3½ x 2½	6 x 2

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F. R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7988; Filed, August 15, 1942; 11:45 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Amendment 1 to General Limitation Order L-86]

Section 1167.1 *General Limitation Order L-86*[1] is amended in the following respects:

1. Paragraph (d) (5) is amended to read as follows:

(5) To any case where the Director General for Operations, War Production Board, has determined that the use of liquefied petroleum gas equipment is necessary and appropriate in the public interest and to promote the war effort (including any such determination made under Conservation Order M-68-c[2]). Application for such a determination shall be made on Form PD-397 (Revised) and filed with the Director General for Operations, Washington, D. C.

[1] 7 F.R. 2709, 3083.

[2] 7 F.R. 2272, 3806, 4760.

2. Paragraph (f) is amended by striking out "or Preference Rating Order P–98".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7989; Filed, August 15, 1942; 11:45 a. m.]

PART 1096—WOOD PULP

[Amendment 2 to General Preference Order M–93]

Paragraph (e) of § 1096.1 *General Preference Order M–93*,[1] as amended, is hereby amended to read as follows:

(e) *Special provisions as to deliveries*—(1) *Small quantities.* Notwithstanding the provisions of paragraphs (c) and (d) of this order, any person may deliver wood pulp to any other person or persons in an amount not exceeding five tons of any one grade to each such person during any calendar month, and any person may accept deliveries of wood pulp from any other person or persons in an amount not exceeding five tons of any one grade from each such person during any calendar month.

(2) *Intra-company deliveries.* The prohibitions and restrictions contained in this order shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single business enterprise to another branch, division, or section of the same or any other business enterprise to another branch, division, or section of the same or any other business enterprise under common ownership or control; and each such affiliate, subsidiary, branch, division or section shall for the purposes of this order be deemed a separate person.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8020; filed, August 17, 1942; 11:17 a. m.]

PART 1108—REPAIR, MAINTENANCE, AND OPERATION OF PLANTS PROCESSING OR PRODUCING DAIRY PRODUCTS

[Interpretation 1 of Preference Rating Order P–118]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1108.1 *Preference Rating Order P–118*.[2]

Order P–118, as amended, assigns high preference ratings to milk and cream "processors" to enable them to obtain deliveries of repair, maintenance, operating and replacement materials in sufficient time to avoid spoilage of milk or cream.

The order defines a "processor" as a person engaged in certain dairy businesses, to the extent that he is so engaged. Question has arisen as to what phases of such a processor's business may be supplied under the order. The order is interpreted as applying to only the primary processing operations and not to secondary processing or distribution operations. The line of demarcation between primary processing and secondary processing is at the point at which milk, cream, or dairy products have been made ready for delivery from the processor's original processing plant. Ratings under the order may be applied to materials related to any operations up to that point, subject to the restrictions in the order. Ratings under the order may not be applied to materials related to the operations beyond that point, such as delivery from the original plant, reprocessing or repackaging ice cream mix, cheese, butter or other dairy products in a plant other than the original plant, distribution of the finished product, or refrigeration maintained in customers' establishments.

Question has also arisen as to whether the ratings under the order may be applied to obtain automotive replacement parts. The War Production Board program for automotive replacement parts, as provided for in Limitation Order No. L–158[3] (Part 1297), is devised to develop a sufficient supply of such parts to meet reasonable needs without the use of preference ratings for their acquisition. Order P–118, in paragraph (d) (1) (iii) as amended, prohibits the use of its ratings to obtain material which can be secured without the use of those ratings. Therefore, such ratings may not be used to obtain automotive replacement parts.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–8019; Filed, August 17, 1942; 11:17 a. m.]

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[1] 7 F.R. 1978, 2237, 2789, 5022.

[2] 7 F.R. 2937, 3078, 4840.

[3] 7 F.R. 5127, 5332.

Chapter XI—Office of Price Administration

PART 1302—ALUMINUM

[Revised Price Schedule 2,[1] as Amended]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this Revised Price Schedule No. 2, as amended, has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title, preamble, and §§ 1302.1 to 1302.11, inclusive, of Revised Price Schedule No. 2 are renumbered and amended to read as set forth herein:

In the judgment of the Price Administrator the prices of aluminum scrap and secondary aluminum ingot have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of aluminum scrap and secondary aluminum ingot prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by the Price Schedule.

In the judgment of the Price Administrator the maximum prices established by this Revised Price Schedule No. 2, as amended, are, and will be, generally fair and equitable and will effectuate the purposes of the Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Revised Price Schedule No. 2, as amended, is hereby issued.

Sec.

AUTHORITY: §§ 1302.1 to 1302.15, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1302.1 *Prohibition against dealing in aluminum scrap at prices above the maximum.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease or other obligation, and except as provided in paragraph (b) of this section, no person shall sell or deliver aluminum scrap, and no person in the course of trade or business shall buy or receive aluminum scrap, at a price higher than the maximum prices established for such scrap by Appendix A (§ 1302.14); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That contracts entered into prior to August 20, 1942, under the terms of, and at prices in conformance with, Revised Price Schedule No. 2, may be carried out at contract prices until September 20, 1942.

(b) Any person may sell, offer to sell, deliver or transfer aluminum scrap to the Metals Reserve Company, or its duly authorized agent or agents, pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced by the War Production Board, Division of Industry Operations, on February 24, 1942; and the Metals Reserve Company, or its duly authorized agent or agents, may buy, offer to buy, or accept delivery of, aluminum scrap, pursuant to such program, without regard to the provisions of Revised Price Schedule No. 2, as amended: *Provided, however,* That the provisions of Revised Price Schedule No. 2, as amended, shall apply to all sales, deliveries, or transfers of such aluminum scrap by the Metals Reserve Company or its duly authorized agent or agents.

§ 1302.2 *Prohibition against dealing in secondary aluminum ingot at prices above the maximum.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver secondary aluminum ingot, and no person in the course of trade or business shall buy or receive secondary aluminum ingot, at a price higher than the maximum prices established for such ingot by Appendix B (§ 1302.15); and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That contracts entered into prior to August 20, 1942, under the terms of, and at prices in conformance with Revised Price Schedule No. 2, may be carried out at contract prices until September 20, 1942.

(b) The provisions of this § 1302.2 shall apply only to the 48 States of the United States and the District of Columbia.

§ 1302.3 *Less than maximum prices.* Lower prices than the maximum prices established by this Revised Price Schedule No. 2, as amended, may be charged, demanded, paid or offered.

§ 1302.4 *Sales for export.* The maximum price at which any person may export aluminum scrap or secondary aluminum ingot shall be determined in accordance with the provisions of the Maximum Export Price Regulation,[3] issued by the Office of Price Administration.

§ 1302.5 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In any appropriate situation where a petition for an adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1302.6 *Evasion.* The price limitations set forth in this Revised Price Schedule No. 2, as amended, shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to aluminum scrap or secondary aluminum ingot, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1302.7 *Records.* (a) On and after August 20, 1942, every person making sales and every person in the course of trade or business making purchases of aluminum scrap shall keep for inspection by the Office of Price Administration, for not less than two years, complete and accurate records of each such sale or purchase, showing: (1) the date thereof, (2) the name and address of the buyer or seller, (3) the quantity in pounds of each kind or grade of aluminum scrap purchased or sold, (4) the price paid or received, (5) the method of delivery and delivery charges paid or received, (6) the dates of settlement and method of payment, and (7) other terms of sale and shipment.

(b) On and after August 20, 1942, every sale of secondary aluminum ingot shall be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state: (1) the date of delivery, (2) the names and addresses of the buyer and seller, (3) the quantity in pounds ordered and delivered, (4) the price per pound, and the total amount payable by the buyer, showing separately the transportation costs, if such costs exceed 75 cents per hundredweight and if the excess is payable by the buyer, (5) the alloy number or other identification, and (6) whether or not such ingot was produced in melts or heats of 250 pounds or less.

(c) Every buyer of secondary aluminum ingot shall preserve for inspection by the Office of Price Administration, for a period of at least two years, the original, and every seller of secondary aluminum ingot shall so preserve a copy, of each invoice required to be furnished by paragraph (b) of this section.

§ 1302.8 *Reports.* (a) On or before the first day of the second calendar month following the close of each quarter of his fiscal year, beginning with the first quarter following August 20, 1942, each producer of secondary aluminum ingot who has not filed OPA Form B—Interim Financial Report, covering such accounting period shall furnish to the Office of Price Administration his balance sheet and profit and loss statement covering

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 3096, 3824, 4294, 4541.

such accounting period as normally prepared for his own use, except that such profit and loss statement shall show the profit of such producer before Federal income and excess profits taxes.

(b) Persons affected by this Revised Price Schedule No. 2, as amended, shall also submit such other reports to the Office of Price Administration as the Administrator may from time to time require.

§ 1302.9. *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 2, as amended, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 2, as amended, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 5[4]—Licensing, are applicable to every dealer subject to this Revised Price Schedule No. 2, as amended, selling aluminum scrap to a consumer. "Dealer" shall have the meaning given to it by Supplementary Order No. 5.

§ 1302.10 *Petitions for amendment.* Persons seeking any modification of this Revised Price Schedule No. 2, as amended, or an adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1302.11 *Applicability of General Maximum Price Regulation.*[5] The provisions of this Revised Price Schedule No. 2, as amended, supersede the provisions of the General Maximum Price Regulation with respect to the sales and deliveries for which maximum prices are established by this Revised Price Schedule No. 2, as amended.

§ 1302.12 *Definitions.* (a) When used in this Revised Price Schedule No. 2, as amended, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Aluminum scrap" means the grades of aluminum scrap set forth in § 1302.14, Appendix A. These grades include all aluminum materials which are the waste or by-product of any kind of metal working, as well as materials which have been discarded from inventory or use because of obsolescence, failure or other reason, and which are to be remelted for further use.

(3) "Secondary aluminum ingot" includes the grades of secondary aluminum ingot set forth in § 1302.15, Appendix B, and all other kinds and grades of secondary ingot containing 50% or more aluminum by weight.

(4) "Consumer" includes any person whose business consists, in whole or in part, of smelting, refining, melting, or otherwise processing scrap into a form other than scrap or of having such scrap so processed for his account by another person under a toll or conversion agreement. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by, a consumer, and any person owned, operated or otherwise controlled by an officer, director, partner, or proprietor of a consumer shall also be considered to be a consumer for the purposes of this Revised Price Schedule No. 2, as amended.

(5) "Point of shipment" means the point at which aluminum scrap is first loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but if the scrap is shipped directly to the buyer's receiving point from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. If such scrap is brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first enters the United States.

(6) "At the buyer's receiving point" means that aluminum scrap or secondary aluminum ingot has arrived at the buyer's plant, warehouse or yard and is ready for unloading.

(7) "Shipment at one time" includes all aluminum scrap which, under a single contract of purchase or other agreement and within any three consecutive calendar days, excluding Saturdays, Sundays and legal holidays is (i) received at one or more points of shipment by the public carrier transporting such scrap to the buyer's receiving point, or (ii) loaded on the buyer's conveyance at one or more points of shipment, or (iii) received at the buyer's receiving point from one or more points of shipment when delivery is made otherwise than by a public carrier or the buyer's conveyance.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Revised Price Schedule No. 2, as amended.

§ 1302.13 *Effective date of Revised Price Schedule No. 2, as amended.* This Revised Price Schedule No. 2, as amended, (§§ 1302.1 to 1302.15, inclusive) shall become effective August 20, 1942.

§ 1302.14 *Appendix A: Maximum prices for aluminum scrap.*—(a) *Schedule of prices.* (The maximum prices for aluminum scrap established in this § 1302.14, with the exception of those established for drosses, skimmings, grindings, sweepings, sawings and spatters, are f. o. b. point of shipment. In the case of drosses, skimmings, grindings, sweepings, sawings and spatters the maximum prices herein established are for such scrap delivered to the buyer's receiving point.)

Grade of aluminum scrap	Column I Maximum price (cents per pound) for shipment at one time of less than 1,000 pounds	Column II Maximum price (cents per pound) for shipment at one time of 1,000 to 20,000 pounds (if shipped by truck) or 1,000 pounds to minimum carload (if shipped by rail)	Column III Maximum price (cents per pound) for shipment at one time of 20,000 pounds or more (if shipped by truck) or minimum carload or more if shipped by rail)
(1) *Plant scrap, segregated:*			
23 solids	10	11	11½
17S, 21S, and 52S solids briquetted, or in large pieces too heavy to briquette	10½	11½	12
Baled or packaged, suitable for briquetting	10	11	11½
Loose, suitable for briquetting	9½	10½	11
All other solids	9½	10½	11
Borings and turnings	7½	8½	9
(2) *Plant scrap, mixed:*			
All solids	8½	9½	10
Borings and turnings	6½	7½	8
(3) *Obsolete scrap:*			
Pure cable	10	11	11½
Old sheet and utensils	8½	9½	10
Old castings and forgings	9	9½	10
Pistons free of struts	9	9½	10
Pistons with struts	7	7½	8
(4) *Drosses, skimmings, grindings, sweepings, sawings, and spatters.*	8 cents per pound of metal contained, as determined by fire assay, irrespective of quantity.		

[4] 7 F.R. 3403.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445.

NOTE 1. *Meaning of terms.* "Plant scrap" means scrap which is generated in the course of fabrication or manufacture and includes new material or parts rejected or discarded because defective, damaged in processing, or otherwise unfit for use. The terms "solids" and "solid plant scrap" mean plant scrap generated by shearing, clipping, cutting, blanking, or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings, and gates, sprues, risers or similar foundry scrap. Scrap shall not be deemed "segregated", whether in the form of solids or in the form of borings, turnings or other machinings, unless it consists of one alloy only and is so identified and handled as to be accepted for reprocessing into aluminum of the original alloy specifications without the necessity for other than routine examination by the processor.

NOTE 2. *Low-grade or contaminated scrap.* Maximum prices may be charged and paid only for scrap which is clean and dry and which otherwise meets generally accepted maximum standards of the trade. Low-grade scrap, scrap which is not clean and dry or which is otherwise contaminated, and scrap which for any other reason fails to meet such maximum standards, must be sold at prices below the established maximum prices. It is particularly important that proper deductions from the established maximum prices be made for oil, water and other forms of contamination contained in borings, turnings and similar machinings.

NOTE 3. *Quantity differentials.* The requisite quantities for which premiums are provided in Columns II and III, above, may consist of various grades of aluminum scrap, but other metals may not be included for the purpose of making up such quantities. A minimum carload is the minimum quantity, as set forth in the tariffs of the railroads, upon which the lowest carload rate from the point of shipment to the buyer's receiving point is based. In computing the weight necessary to obtain a quantity differential the actual weight of the material at the point of shipment, as determined by the public carrier, or as certified to and accepted by the public carrier, or as certified by a public weigher, is to be used. If the weight of the material at the point of shipment is not determined by any of the methods herein specified the actual weight of the material at the buyer's receiving point shall be used.

NOTE 4. *Aluminum foil.* Aluminum foil and light gauge aluminum sheet which does not exceed 0.006 of an inch in thickness is not considered within this Price Schedule, but the provisions of the General Maximum Price Regulation shall apply to such scrap.

(b) *Delivery charges.* (1) If aluminum scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which may be added to the established maximum price, f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.60
10	15	1.80
15	20	1.95
20	25	2.10
25	30	2.25
30	35	2.40
35	40	2.55
40	50	2.80
50	60	3.00
60	70	3.20
70	80	3.40
80	90	3.60
90	100	3.80
100	110	3.95
110	120	4.10
120	130	4.25
130	140	4.40
140	150	4.55
150	160	4.70
160	170	4.85
170	180	5.00
180	190	5.15
190	200	5.30
200	210	5.45
210	220	5.60
220	230	5.75
230	240	5.90
240	250	6.05
250	260	6.20
260	270	6.35
270	280	6.50
280	290	6.65
290	300	6.80
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the mileage upon which the delivery charge is based, and the total delivery charge.

(4) If aluminum scrap is shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad: the rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(ii) Entirely by public carrier truck: the established rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the buyer: the rate set forth in subparagraph (2) of this paragraph (b) from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the buyer, or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (4): *Provided,* That the rate governing any method of shipment not actually employed may be disregarded.

§ 1302.15 *Appendix B: Maximum prices for secondary aluminum ingot.*—(a) *Delivery charges.* The maximum prices herein established for secondary aluminum ingot include transportation costs to any destination within the continental United States, not exceeding the lowest carload rate of rail freight, but in no event to exceed 75 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(b) *Certain common alloys.*

Grades:	*Maximum price (cents per pound)*
98 percent pure aluminum ingot	15
Silicon alloys	15
Piston alloys	14½
No. 12 aluminum	14½
Deoxidizing aluminum, notch-bar, granulated or shot	[1] 13½

[1] Plus 2 cents for special shapes.

Quantity Differentials

The maximum prices established above are applicable if secondary aluminum ingot is either sold or delivered in quantities of 30,000 pounds or more. The following premiums may be charged, in addition to the maximum prices set forth above, for the quantities specified:

Quantity:	*Premium (cents per pound)*
10,000 to 30,000 pounds	¼
1,000 to 10,000 pounds	½
Less than 1,000 pounds	1

In determining whether the quantity differentials herein provided are applicable, the quantity sold or the quantity delivered to one buyer at one time, whichever is larger, shall be used in all cases, and regardless of the fact that such sale or shipment may be composed of different alloys.

(c) *Other alloys.* (1) Except as provided in paragraphs (d) and (e) of this section, the maximum price for any grade of secondary aluminum ingot other than a grade for which a maximum price is established in paragraph (b) of this section, shall be a price approved by the Administrator. Pending such approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at

a price higher than that so approved the seller shall refund the excess: *Provided,* however, that the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within 15 days from the date on which the report required in paragraph (c) (2) (i) of this section is received by the Office of Price Administration, or, if further information is requested from the seller within such 15-day period, then within 15 days from the date on which all such information is received by the Office of Price Administration.

(2) On and after August 20, 1942, except as hereinafter specifically provided, the seller of any such ingot shall:

(i) report every such sale to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating:

(*a*) The name and address of the buyer;

(*b*) The quantity sold;

(*c*) The proposed price;

(*d*) The alloy content of such ingot, including specific mention of any impurity limitations;

(*e*) The cost breakdown, including the type of metals used and the cost thereof, the smelting cost, and the allowance for overhead; and

(ii) Provide such other information concerning the manufacture and sale of such ingot as may be required by the Administrator in order to determine the proper maximum price for such ingot.

(3) The foregoing provisions of this paragraph (c) shall not apply to sales of any ingot at a price previously reported to and approved by the Administrator in accordance with the provisions of this paragraph (c). Whenever the price proposed by any person for a particular grade of secondary aluminum ingot has been so reported, the price so approved by the Administrator shall be the maximum price at which such person may thereafter sell such ingot; but each subsequent sale thereof shall be reported in accordance with the provisions of subparagraph (2) of this paragraph (c), except that the cost breakdown required by paragraph (c) (2) (i) (*e*) need not be furnished. Nothing herein contained, however, shall be construed to prevent the Administrator from adjusting any price so approved when in his judgment such adjustment is warranted.

(d) *Other alloys produced in small quantities.* The maximum price for any grade of secondary aluminum ingot, other than a grade for which a maximum price is established in paragraph (b) of this section, which is produced in melts or heats of 250 pounds or less, shall be:

(1) The highest price which the seller charged for such grade of ingot delivered by him to a purchaser of the same class during March 1942; or

(2) If the seller did not deliver such grade of ingot to a purchaser of the same class during March 1942, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of such grade of ingot to a purchaser of the same class during March 1942; or

(3) If the maximum price for such grade of ingot cannot be determined under the foregoing provisions of this paragraph (d), a price approved by the Administrator. On and after August 20, 1942, the seller of any such grade of ingot shall report every such sale to the Office of the Price Administration and obtain approval of a maximum price for such grade as prescribed in paragraph (c) of this section. The provisions of paragraph (c) shall apply in all respects to sales of such grade of ingot, except that the cost breakdown required by paragraph (c) (2) (i) (*e*) need not be furnished.

(e) *Other alloys sold for 15 cents or less during March 1942.* The maximum price for any grade of secondary aluminum ingot, other than a grade for which a maximum price is established in paragraphs (b) and (d) of this section, shall be:

(1) The highest price which the seller charged for that grade of ingot delivered by him to a purchaser of the same class during March 1942: *Provided,* That the highest price so charged was 15 cents per pound or less; or,

(2) If the seller did not deliver that grade of ingot to a purchaser of the same class during March 1942 as prescribed in subparagraph (e) (1) of this section, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of that grade of ingot to a purchaser of the same class during March 1942: *Provided,* That the highest price so quoted was 15 cents per pound or less; or

(3) If the maximum price for such grade of ingot cannot be determined under the foregoing provisions of this paragraph (e), a price approved by the Administrator. On and after August 20, 1942, the seller of any such grade of ingot shall report every such sale to the Office of Price Administration and obtain approval of a maximum price for that grade as prescribed in paragraph (c) of this section. The provisions of paragraph (c) shall apply in all respects to sales of such grades of ingot.

(*f*) *Meaning of terms.* For the purposes of paragraphs (d) and (e) of this section:

(1) In determining the highest price charged or quoted by him during March 1942, the seller shall, if such price was not quoted f. o. b. point of shipment, adjust such price so that it shall reflect the actual price charged by him f. o. b. point of shipment; and the price so determined shall be his maximum price, and shall include transportation costs to the extent specified in paragraph (a) of this section.

(2) Secondary aluminum ingot shall be deemed to have been "delivered," during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(3) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for secondary aluminum ingot for sales to different purchasers or kinds of purchasers or for purchasers located in different areas or for different quantities or under different conditions of sale.

Issued this 14th day of August, 1942.

LEON HENDERSON,
Administrator.

[P. R. Doc. 42-7974; Filed, August 14, 1942; 4:54 p. m.]

PART 1340—FUEL

[Amendment 23 to Revised Price Schedule 83 [1]]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1340.159 (c) (5) the headnotes *Maximum prices for roofing flux f. o. b. refinery, roofing asphalt,* and *paving asphalt, cut-back asphalt, asphalt emulsions and road oils* are designated (i), (ii) and (iii), respectively, and a new subdivision (iv) is added as set forth below:

§ 1340.159. *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(5) *Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.* * * *

(iv) *Maximum prices exclusive of taxes for paving asphalt, cut-back asphalt and road oils, f. o. b. refinery and ocean terminals in California, Washington and Oregon.* Notwithstanding the provisions of (iii) above, maximum prices for the grades of paving asphalt, cut-back asphalt and road oils specified below, f. o. b. refineries and terminals in the areas specified below shall be as follows:

(*a*) *Paving asphalt*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	11–49 Penetration	$12.00
	41–200 Penetration	9.50
Refineries within 100 rail miles of Bakersfield, California.	41–200 Penetration	9.00
Refineries within 50 miles of Los Angeles, California.	11–49 Penetration	12.00
	41–200 Penetration	9.00
Refineries in the Santa Maria Valley of California.	11–49 Penetration	12.00
	41–200 Penetration	9.00

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1107, 1371, 1793, 1799, 1838, 2132, 2304, 2352, 2634, 2345, 3116, 3432, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4954, 4957.

(b) *Cut-back asphalt*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	RC-0 and RC-1	$11.50
	RC-2, RC-3, RC-4 and RC-5.	10.00
	MC-0 and MC-1	11.50
	MC-2, MC-3, MC-4 and MC-5.	10.00
Refineries within 100 rail miles of Bakersfield, California.	RC-0 and RC-1	11.50
	RC-2, RC-3, RC-4 and RC-5.	10.00
	MC-0 and MC-1	11.50
	MC-2, MC-3, MC-4 MC-5.	10.00
Refineries within 50 miles of Los Angeles, California.	RC-0 and RC-1	11.00
	RC-2, RC-3, RC-4 and RC-5.	9.50
	MC-0 and MC-1	11.00
	MC-2, MC-3, MC-4 and MC-5.	9.50
Refineries in the Santa Maria Valley of California.	RC-0 and RC-1	9.50
	RC-2, RC-3, RC-4 and RC-5.	8.00
	MC-0 and MC-1	9.50
	MC-2, MC-3, MC-4 and MC-5.	8.00
Terminals within 100 miles of Portland, Oregon, for water-borne cut-back asphalt only.	RC-3	12.50
	RC-4	12.50
	MC-2	12.50
Terminals within 150 miles of Seattle, Washington for water-borne cut-back asphalt only.	RC-3	12.50
	RC-4	12.50
	MC-2	12.50

(c) *Road oils*

Location	Grade	Price per ton
Refineries within 50 miles of San Francisco, California.	ROMC-0 and ROMC-1, ROMC-2 ROMC-3, ROMC-4, ROMC-5, and ROMC-6.	$11.50 10.00
	SC-0	10.00
	SC-1	7.60
	SC-1A	5.40
	SC-2, SC-3, SC-4, SC-5 and SC-6.	9.50
Refineries located within 100 rail miles of Bakersfield, California.	ROMC-0 and ROMC-1, ROMC-2, ROMC-3, ROMC-4, ROMC-5, and ROMC-6.	$11.50 10.00
	SC-0	9.75
	SC-1	6.60
	SC-1A	5.10
	SC-2	7.50
	SC-3	8.00
	SC-4	8.00
	SC-5	9.00
	SC-6	9.00
Refineries within 50 miles of Los Angeles, California.	ROMC-0 and ROMC-1, ROMC-2 and ROMC-3, ROMC-4 and ROMC-5.	11.00 9.50
	SC-0	9.75
	SC-1	6.60
	SC-1A	5.10
	SC-2	7.00
	SC-3	7.50
	SC-4	7.50
	SC-5	8.50
	SC-6	8.50
Refineries located in the Santa Maria Valley of California.	ROMC-0 and ROMC-1 ROMC-2 and ROMC-3, ROMC-4 and ROMC-5, ROMC-6.	9.50 8.00
	SC-0	8.00
	SC-1	5.60
	SC-2	7.50
	SC-3	7.50
	SC-4	7.50
	SC-5	7.50
	SC-6	7.50
Terminals within 100 miles of Portland, Oregon for water-borne road-oils only.	SC-0	12.50
	SC-1A	6.30
	SC-2	12.00
Terminals within 100 miles of Seattle, Washington for water-borne road-oils only.	SC-0	12.50
	SC-1A	6.30
	SC-2	12.00

(d) The following charges may be added to the maximum f. o. b. refinery prices specified in (a), (b) and (c) above:

$6.00 a ton for paving asphalt sold in open head wooden barrels;

$7.25 a ton for paving asphalt sold in double head wooden barrels;

$7.50 a ton for paving asphalt sold in six hoop double head barrels; and

Other customary charges which were in effect between October 1 and 15, 1941 for handling, packaging and loading services;

Provided, however, That such charges may not be added unless they are separately itemized on the bills or invoices rendered to the buyer.

(e) Notwithstanding the provisions of (a), (b) and (c) above, refiners in the Santa Maria Valley of California may charge a price delivered to the buyer on the sale of any asphaltic product for which a maximum f. o. b. refinery price is established in (a), (b) or (c) not in excess of the sum of the maximum f. o. b. refinery or terminal price for the same product established for the refinery or terminal nearest to the particular destination and the rail freight tariff from such nearest refinery or terminal to destination.

(f) In any case where the maximum price for a particular grade of paving asphalt, cut-back asphalt or road oil f. o. b. refinery or terminal in the area specified in (a), (b) and (c) above is not provided for in (a), (b) or (c) the seller may set a tentative maximum price f. o. b. the particular refinery or terminal, in line with the maximum prices established by this § 1340.159 (c) (5) (iv) for refineries or terminals in the area in which the particular refinery or terminal is located. The seller shall request approval by the Office of Price Administration for such tentative maximum price within fifteen days after it has been set by him. In connection with such request, the seller shall file with the Office of Price Administration at its principal Office in Washington, D. C. a statement setting forth (1) such tentative price, (2) a description in detail of the grade to which such tentative price applies including its composition, specifications and quality, (3) the facts which differentiate such grade from the grades for which a maximum price is specified in (a), (b) or (c) above f. o. b. the particular refinery or terminal, and (4) the maximum prices established by this § 1340.159 (c) (5) (iv), for the most closely similar grade for which a maximum price is so specified which customarily sold for a price lower than the grade to which the tentative price applies and the most closely similar grade for which a maximum price is so specified which customarily sold at a price higher than the grade to which the tentative price applies. Such tentative price shall be the seller's maximum price f. o. b. the particular terminal or refinery for such grade unless it is disapproved in writing by the Office of Price Administration within 15 days from the date it is filed as above provided.

§ 1340.158a *Effective dates of amendments.* * * *

(cc) Amendment No. 29 (§ 1340.159 (c) (5)) to Revised Price Schedule No. 88 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7973; Filed, August 14, 1942; 4:53 p. m.]

PART 1340—FUEL

[Amendment 15 to Maximum Price Regulation 120]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Corrections

In the table appearing in § 1340.214 (b) (2) [page 6265 of the issue for Wednesday, August 12, 1942] the following changes should be made in the column for Size Group No. 10: opposite "D", "225" should read "220"; opposite "H", "200" should read "200"; opposite "J", "150" should read "195".

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 6 to Maximum Price Regulation 152 [1]]

CANNED VEGETABLES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (e) is added to § 1341.22 and the last sentence of paragraph (g) is revoked.

§ 1341.22 *Canner's maximum prices for canned vegetables.* * * *

(e) If the maximum prices for the canner of No. 2 U. S. Grade C or better canned tomatoes and No. 2 U. S. Grade C or better canned peas, as determined under this section, are lower than the support prices for canned tomatoes and canned peas announced by the Secretary of Agriculture on December 19, 1941, the support prices so announced shall be the maximum prices for such canner.

* * * * *

§ 1341.32 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1341.22 (e), (g)) shall become effective August 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7969; Filed, August 14, 1942; 4:50 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3895, 3963, 4453, 5138, 5363, 6219, 6266.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 8 to Rationing Order 3[1]]

SUGAR RATIONING REGULATION

A new item is added to § 1407.243, as set forth below:

Schedules

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
*	*	*
No. 8 (Aug. 23 to Oct. 31, 1942).	Stamp No. 8.....	5 pounds.

Effective Dates

§ 1407.222 *Effective dates of Amendments.* * * *

(h) Amendment No. 8 (§ 1407.243) to Rationing Order No. 3 shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong. 2d Sess., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E 7 F.R. 562, 2965)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7968; Filed, August 14, 1942; 4:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to Supplementary Regulation 1[2] to General Maximum Price Regulation[3]]

EXCLUDING CERTAIN SALES AND DELIVERIES OF VOLATILE ("ESSENTIAL") OILS BY DOMESTIC GROWERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.26 is amended by adding a new subparagraph (4) to paragraph (b), as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales, and deliveries.* * * *

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries: * * *

(4) Sales or deliveries of volatile ("essential") oils by the growers in any of the forty-eight states and the District of Columbia of the plants from which these oils were distilled.

* * * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084.

[2] 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493.

[3] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775.

(e) Effective dates. * * *

(22) This Amendment 21 (§ 1499.26 (b) (4)) to Supplementary Regulation No. 1 shall become effective May 11, 1942.

(Public Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7971; Filed, August 14, 1942; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 22 to Supplementary Regulation 1[1] to General Maximum Price Regulation[2]]

FORD MOTOR CO.

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new subparagraph (5) has been added to paragraph (b) of § 1499.26 as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(b) * * *

(5) Sales and deliveries until November 1, 1942 to the Ford Motor Company for use as raw material in its wood distillation plant at Iron Mountain, Michigan of saw or veneer mill wood wastes including, but not limited to, slabs, edgings, veneer log ends and cores, and ground wood.

* * * * *

(e) *Effective dates.* * * *

(23) Amendment No. 22 (§ 1499.26 (b) (5)) to Supplementary Regulation No. 1 shall become effective August 14, 1942 (Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7970: Filed, August 14, 1942; 4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 8 to Supplementary Regulation 14[3] to General Maximum Price Regulation[4]]

FIREWOOD IN OREGON AND WASHINGTON

A new subparagraph (8) is added to § 1499.73 (a) as set forth below:

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4659, 5000, 5192, 5276, 5309, 5484, 5607, 5717, 5942, 6032.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6059, 6081, 6097, 6216.

[3] F.R. 5486.

[4] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6216.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(8) *Firewood in the States of Oregon and Washington.* In the States of Oregon and Washington, the maximum prices for the sale or delivery of firewood (e. g. cordwood, sawdust, mill ends and shavings and slabwood) may be modified as indicated below:

(i) Wherever the State Office of the Office of Price Administration for the State of Washington or for the State of Oregon determines, either upon application or its own motion, that the maximum prices established in section 2 of the General Maximum Price Regulation for the sale or delivery of firewood are inadequate to insure a sufficient supply of firewood to meet heating requirements in any locality or localities within its jurisdiction, it may by order adjust such maximum prices to the minimum extent necessary to insure a sufficient supply of firewood therein. Such adjustments shall be made in relation (*a*) to the increased production costs which sellers of firewood in the locality or localities affected must incur in order to produce such firewood, compared with the costs of production in March 1942 (or the nearest earlier month in which firewood was generally produced in such locality or localities), and/or (*b*) the extent of increased transportation costs which must be incurred by sellers of firewood in order to move sufficient supplies thereof to meet the requirements of the locality or localities affected and (*c*) such other circumstances as may be pertinent to the procurement of sufficient supplies of firewood to meet the requirements of the locality or localities affected.

(ii) (*a*) Every order issued pursuant to the provisions of subdivision (i) above shall be accompanied by a statement of the reasons for the action taken therein.

(*b*) Whenever a State Office issues such an order, it shall promptly take steps to insure that the order is duly publicized in the locality or localities affected, and shall transmit a copy thereof, together with the accompanying statement, to the Regional Office of the Office of Price Administration in San Francisco, California, and to the National Office of the Office of Price Administration in Washington, D. C.

(b) *Effective dates of amendments.* * * *

(9) Amendment No. 8 (§ 1499.73 (a) (8)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective August 14, 1942. (Pub. Law 421, 77th Cong.)

Issued this 14th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7972; Filed, August 14, 1942; 4:52 p. m.]

PART 1306—IRON AND STEEL

[Amendment 2 to Revised Price Schedule 10 [1]]

PIG IRON

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph, (d), is added to § 1306.52, as set forth below:

§ 1306.52 *Maximum ("ceiling") prices on sales of pig iron.* * * *

(d) Notwithstanding the provisions of paragraphs (a) and (c) of this section, in any case in which the Price Administrator shall find that by reason of priority or preference ratings, allocation orders, or similar orders or requests of the War Production Board or other authorized Government agency, a shipment of pig iron is made from the Buffalo, New York, area to a place within the usual market area of the plant from which shipment is made and to which the customary method of shipment before the emergency conditions arising from the present war was by barge or by barge and rail, the Price Administrator may authorize the person selling such pig iron to charge, if barge transportation is not used for such shipment, a price therefor not to exceed the aggregate of: (1) the Basing Point Base Price at the Governing Basing Point; (2) differentials; (3) transportation charges from the Governing Basing Point to the place of delivery as customarily computed; (4) the difference between the charges for all-rail transportation and the charges for barge or barge and rail transportation from Buffalo to the place of delivery, calculated at the established rates in effect during the barge shipping season of 1941.

§ 1306.59 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1306.52 (d), 1306.59) to Revised Price Schedule No. 10 shall become effective August 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7996; Filed, August 15, 1942; 12:24 p. m.]

PART 1335—CHEMICALS

[Amendment 5 to Revised Price Schedule 68 [2]]

HIDE GLUE STOCK

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) of § 1335.510 is amended to read as set forth below:

§ 1335.510 *Appendix A: Maximum prices for hide glue stock.* (a) The following maximum prices are established for hide glue stock, f. o. b. seller's shipping point:

	Per cwt.
(1) Green salted hide trimmings, including green salted pates, green salted tips, cattle tail pieces.	$1.05
(2) Limed cattle trimmings, including limed hide trimmings, limed cattle pieces.	.87
(3) Goat trimmings and pieces, including long haired, short haired, de-haired.	.45
(4) Limed calf trimmings, including calf trimmings, green limed calf.	1.00
(5) Limed calf cheekings	2.25
(6) Chrome stock, including chrome splits, chrome shavings, chrome trimmings.	.50
(7) Coney stock	3.50
(8) Goat and sheep fleshings	.125
(9) Packers trimmings, including green salted ears, lips, snouts and tails, green salted sinews and pizzles.	.95
(10) Sheep trimmings, including limed sheep trimmings, limed sheep tails, pickled sheep.	.60
(11) Horse fleshings	.225
(12) Calf fleshings	.325
(13) Horse and Beam trimmings, including green salted horse trimmings, limed horse trimmings, beam trimmings, horse tail pieces.	.425
(14) Sole leather fleshings	.85
(15) Common and #2 fleshings	.66
(16) Other cattle fleshings, including sulfide fleshings, kip fleshings.	.575

§ 1335.509a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (Paragraph (a) of § 1335.510) shall be effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7997; Filed, August 15, 1942; 12:24 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[Amendment 2 to Maximum Price Regulation 116 [1]]

CHINA AND POTTERY

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subdivision (iii) is added to § 1362.61 (b) (1) as set forth below:

§ 1362.61 *Appendix A: Maximum prices for sales of china and pottery by manufacturers.* * * *

(b) *Sales to purchasers other than departments or agencies of the United States Goverment—(1) Articles first offered for sale during the period October 1-October 15, 1941.* * * *

(iii) *Provided,* That, the maximum price for sales by Universal Potteries, Inc. of Cambridge, Ohio to Sears, Roebuck, & Company, Chicago, Illinois, of articles of the Empress pattern, decoration number C92-1 SAN, in sets and in open stock, shall be 110% of the prices at which such articles were offered for sale to Sears, Roebuck & Company, during the period October 1-October 15, 1941.

* * * * *

§ 1362.63 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1362.61 (b) (1) (iii) to Maximum Price Regulation No. 116 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7998; Filed, August 15, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE WATERBURY DEFENSE-RENTAL AREA

The first sentence of § 1388.67 of Maximum Rent Regulation No. 2 is hereby amended to read as follows:

§ 1388.67 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Plymouth, Thomaston, Watertown in the County of Litchfield, and the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott in the County of New Haven, in the State of Connecticut, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.74a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.67) to Maximum Rent Regulation No. 2 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7995; Filed, August 15, 1942; 12:28 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1230, 1836, 2841.

[2] 7 F.R. 1338, 1836, 2000, 2132, 2241, 2948, 3125, 5362.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3036, 3858.

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 5]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE BRIDGEPORT DEFENSE-RENTAL AREA

The first sentence of § 1388.217 of Maximum Rent Regulation No. 5 is hereby amended to read as follows:

§ 1388.217 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport in the County of Fairfield, in the State of Connecticut, on or before August 31, 1942) or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.224a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.217) to Maximum Rent Regulation No. 5 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7992; Filed, August 15, 1942; 12:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 6]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN THE HARTFORD-NEW BRITAIN DEFENSE-RENTAL AREA

The first sentence of § 1388.267 of Maximum Rent Regulation No. 6 is hereby amended to read as follows:

§ 1388.267 *Registration.* On or before July 15, 1942 (or, as to housing accommodations within that part of the Defense-Rental Area other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks in the County of Hartford, the Towns of Cromwell, Middlefield, Middletown, and Portland in the County of Middlesex, the Towns of Meriden and Wallingford in the County of New Haven, and the Town of Vernon in the County of Tolland, in the State of Connecticut, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.274a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.267) to Maximum Rent Regulation No. 6 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7994; Filed, August 15, 1942; 12:28 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 2 to Maximum Rent Regulation 20]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1707 of Maximum Rent Regulation No. 26 is hereby amended to read as follows:

§ 1388.1707 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation (or, as to housing accommodations within the New Haven Defense-Rental Area, the New London Defense-Rental Area, and the Bath Defense-Rental Area, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.1714a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.1707) to Maximum Rent Regulation No. 26 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7993; Filed, August 15, 1942; 12:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 3 to Maximum Rent Regulation 23]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of § 1388.1807 of Maximum Rent Regulation No. 23 is hereby amended to read as follows:

§ 1388.1807 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation (or, as to housing accommodations within the Chicago Defense-Rental Area and the Pittsburgh Defense-Rental Area, on or before August 31, 1942), or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. * * *

§ 1388.1814a. *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1388.1807) to Maximum Rent Regulation No. 23 shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7991; Filed, August 15, 1942; 12:27 p. m.]

PART 1389—APPAREL

[Correction to Maximum Price Regulation 177[1]]

MEN'S AND BOYS' TAILORED CLOTHING

A statement of the considerations involved in the issuance of this correction has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The *Exception* in § 1389.105 (a) (2), and § 1389.119 (a) (3), are corrected as set forth below, and in § 1389.116 (d) the phrase "On and after 1942" is corrected to read "On and after July 11, 1942." A new § 1389.120a is added:

§ 1389.105 *Maximum prices for all sales of men's and boys' tailored clothing "made to measure" and "tailored to the trade."* * * *

(a) For garments other than outer coats. * * *

(2) * * * *Except:* That no maximum price determined pursuant to paragraph (a) of this section shall exceed the highest price at which the seller during January or February 1942 offered a garment of the same classification, plus the amount indicated by the table in Appendix C (§ 1389.123).

§ 1389.119 Definitions. (a) * * *

* * * * *

(3) "Booking" means accepting orders for delivery immediately or at any later time.

§ 1389.120a *Effective dates of corrections and amendments.* (a) Correction (§§ 1389.105 (a) (2), 1389.116 (d) and 1389.119 (a) (3)) to Maximum Price Regulation No. 177 is effective as of July 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7989; Filed, August 15, 1942; 12:23 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5162.

PART 1396—FINE CHEMICALS AND DRUGS

[Maximum Price Regulation 203]

VITAMIN A NATURAL OILS AND CONCENTRATES

In the judgment of the Price Administrator the prices of Vitamin A natural oils and concentrates have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Vitamin A natural oils and concentrates prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] issued by the Office of Price Administration, Maximum Price Regulation No. 203 is hereby issued.

Sec.

AUTHORITY: §§ 1396.201 to 1396.214, inclusive, issued pursuant to authority contained in Pub. Law 421, 77th Cong.

§ 1396.201 *Maximum prices for Vitamin A natural oils and concentrates.* (a) On and after August 20, 1942, regardless of any contract, agreement, lease, or other obligation, except as provided in § 1396.202 hereof, no person shall sell or deliver Vitamin A natural oils or concentrates, and no person shall buy or receive Vitamin A natural oils or concentrates in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1396.214; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of Vitamin A natural oils or concentrates to a purchaser if, prior to August 20, 1942, such Vitamin A natural oils or concentrates had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) This Maximum Price Regulation No. 203 shall not apply to sales or deliveries of the following:

(1) Vitamin A natural oils or concentrates destined for human consumption without further processing or packing by the buyer.

(2) Capsules or tablets containing Vitamin A.

(3) Crystalline Vitamin A.

(4) A water or milk miscible product containing Vitamin A, or a Vitamin A concentrate in alcohol, at least 90 percent of which is nonoleaginous material.

§ 1396.202 *Pre-existing contracts.* Any person who prior to August 20, 1942 had purchased natural vitamin A oil and had it in his possession or in the custody of a carrier or warehouse, other than a carrier or warehouse owned or controlled by the person from whom such oil was acquired, in order to fulfill a contract entered into prior to March 31, 1942 for the sale of such oil or for the sale of a concentrate to be produced from such oil, may deliver such oil or concentrate in accordance with such contract: *Provided,* That no deliveries shall be made under this section after December 31, 1942. Deliveries made in accordance with this section shall, however, continue to be subject to the provisions of Revised Price Schedule No. 53—Fats and Oils.[2]

§ 1396.203 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1396.214) may be charged, demanded, paid or offered.

§ 1396.204 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1396.205 *Export sales.* The maximum prices at which a person may export Vitamin A natural oils or concentrates shall be determined in accordance with the provisions of the Maximum Export Price Regulation[3] issued by the Office of Price Administration.

§ 1396.206 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 203 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Vitamin A natural oils or concentrates, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1396.207 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 203, are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 203, or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1396.208 *Licensing.* The provisions of Supplementary Order No. 11[4] (§ 1305.15) licensing distributors of chemicals and drugs, shall be applicable to every distributer of Vitamin A natural oils and concentrates covered by this Maximum Price Regulation No. 203 who is subject to Supplementary Order No. 11. The term "distributor" shall have the meaning given to it by Supplementary Order No. 11.

§ 1396.209 *Records and reports.* (a) Every person making a sale or purchase of Vitamin A natural oils or concentrates after August 20, 1942 for which, upon sale or purchase by that person, maximum prices are established by this Maximum Price Regulation No 203, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and the seller, the price paid or received, the quantity bought or sold in millions of U. S. P. units of Vitamin A, and the Vitamin A and Vitamin D potency per gram of each grade of such oil or concentrate purchased or sold.

(b) Persons affected by this Maximum Price Regulation No. 203 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1396.210 *Applicability of other regulations.* The provisions of this Maximum Price Regulation No. 203 supersede the provisions of the General Maximum Price Regulation[5] and Revised Price Schedule No. 53—Fats and Oils, with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1396.211 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 203 may file a petition for

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605.

[3] 7 F.R. 5059.

[4] 7 F.R. 6167.

[5] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216.

amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1396.212. *Definitions.* (a) When used in this Maximum Price Regulation No. 203, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Vitamin A natural oil" means any unconcentrated fish or marine animal oil or fish or marine animal liver oil containing more than 6,000 and less than 200,000 USP units of Vitamin A per gram, with the exception of cod liver oil.

(3) "Vitamin A concentrate" means any product containing Vitamin A which is derived from Vitamin A natural oil by distillation, solvent extraction, use of digestants, extraction of unsaponifiable matter, adsorption on earths or other agents, crystallization, or fortification with another concentrate, provided that the Vitamin A potency per gram of such product is at least four times that of the original natural oil. A Vitamin A concentrate may be prepared by the direct processing of fish or marine animal livers by one of the methods listed herein, provided the concentrate has at least four times the Vitamin A potency that the natural oil derived from such livers would have had. Vitamin A natural oils containing 200,000 or more U. S. P. units of Vitamin A per gram, and blends of a concentrate and an edible vegetable oil, shall be considered concentrates.

(4) "Seller's shipping point" means a point of distribution maintained by a seller from which actual shipment is made.

(5) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 203.

§ 1396.213 *Effective date.* This Maximum Price Regulation No. 203 (§§ 1396.201 to 1396.214, inclusive) shall become effective August 20, 1942.

§ 1396.214 *Appendix A: Maximum prices for Vitamin A natural oils and concentrates.* (a) The following maximum prices are established for Vitamin A natural oils and concentrates, f. o. b. seller's shipping point:

VITAMIN A NATURAL OIL

Potency in U. S. P. units of Vitamin A per gram:	*Maximum price per million U. S. P. units of Vitamin A*
More than 6,000 and less than 60,000	$0.14
60,000 and more, but less than 200,000	.20

VITAMIN A CONCENTRATE

Any	$0.30

(b) (1) The maximum prices set forth in paragraph (a) of this section shall not apply to any Vitamin A natural oil or concentrate in which the ratio of the USP units of Vitamin A per gram to the USP units of Vitamin D per gram is less than 1 to 1.

(2) No charge may be added to the maximum prices set forth in paragraph (a) of this section for the Vitamin D content of any oil or concentrate in which the ratio of the USP units of Vitamin A per gram to the USP units of Vitamin D per gram is more than 75 to 1.

(3) In cases not covered by subparagraphs (1) and (2) of this paragraph, there may be added to the maximum prices set forth in paragraph (a) of this section, an amount not exceeding the highest charge to purchasers of the same class during March 1942 for the Vitamin D content in comparable Vitamin A and Vitamin D oils or concentrates.

(c) The maximum prices set forth in this section shall not be increased by any charges for the extension of credit.

(d) No charge may be added to the maximum prices set forth in this section for containers, but the buyer may be required to make a reasonable deposit for the return of containers. The deposit must be refunded to the buyer by the seller when the containers are returned in good condition, and transportation expenses in connection with the return of containers must be paid by the seller.

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8000; Filed, August 15, 1942; 12:20 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL SILK, SYNTHETICS AND ADMIXTURES

[Amendment 2 to Maximum Price Regulation 123[1]]

RAW AND PROCESSED WOOL WASTE MATERIALS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1410.78, subparagraph (4) of paragraph (a) is amended as set forth below:

§ 1410.78 *Definitions.* (a) When used in this Maximum Price Regulation No. 123, the term:

* * * * *

(4) "Processed wool waste materials" means raw wool waste materials, whether or not in combination with wool or other fibers, which have been subjected to any one or a combination of more than one of the processes enumerated in subparagraph (3). Without limiting the generality of the above definition, processed wool waste materials include both "reused wool" and "reprocessed wool" as those terms are defined in the Wool Products Labeling Act of 1939.

* * * * *

§ 1410.79a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1410.78 (a) (4)) to Maximum Price Regulation No. 123 shall become effective August 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8001; Filed, August 15, 1942; 12:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 7 to Supplementary Regulation 14 to General Maximum Price Regulation]

FOOD PRODUCTS SOLD IN NEW CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (7) is added to paragraph (a) of § 1499.73 as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

* * * * *

(7) *Food products sold in new containers.* The seller's maximum price for a food product which is of the same kind and quality as a food product delivered or offered for delivery by the same manufacturer during March 1942 only in a tin container but differs from such product in that it is sold in a container made of different materials, the content of which by weight or volume does not vary from the content of the tin container by more than twenty percent, shall be determined in accordance with the provisions of this subparagraph.

The container made of different materials is referred to in this subparagraph as the "new container". The tin container in which the food product was delivered or offered for delivery during March 1942 by the same manufacturer and which is nearest in size to the new

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3088, 3330, 3629.

*Copies may be obtained from the Office of Price Administration.

container is referred to as the "tin container".

"Maximum price", as used in this subparagraph, means the maximum price to a purchaser of the same class for the seller's customary unit of sale, whether per case, per dozen or per can, jar or the like.

"Net cost" of a container, as used in this subparagraph, means the delivered price paid by the manufacturer for the container, cap (if any) and shipping carton, less any discounts allowed to him.

(i) *Sales by manufacturers.* (*a*) If the contents of the new container are the same by weight or volume as the contents of the tin container:

The manufacturer shall, (*1*) subtract from his maximum price for the food product in the tin container the current net cost of the tin container and, (*2*) add to this figure the current net cost of the new container. The resulting figure shall be his maximum price for the food product in the new container. Such maximum price shall be computed by each manufacturer before the first delivery of such food product after the effective date hereof and shall be his maximum price from that time forward.

(*b*) If the contents of the new container vary by weight or volume from the contents of the tin container by no more than twenty percent:

The manufacturer shall, (*1*) divide his maximum price for the food product in the tin container by the number of units of contents packed therein (ounces, pounds, or quarts or the like); (*2*) multiply the figure so obtained by the number of units in the new container; (*3*) subtract from this figure the current net cost of the tin container; and (*4*) add the current net cost of the new container. The resulting figure shall be his maximum price for the food product in the new container. Such maximum price shall be computed by each manufacturer before the first delivery of such food product after the effective date hereof and shall be his maximum price from that time forward.

(ii) *Sales by wholesalers or retailers.* If the contents of the new container are the same by weight or volume as the contents of the tin container, or do not vary therefrom by more than twenty percent:

A seller at wholesale or retail of the food product in the new container shall add to (if the difference is an increase) or subtract from (if the difference is a decrease) his maximum price for the food product in the tin container, the exact amount of the difference between his supplier's maximum price to him for the product in the tin container and the product in the new container. The resulting figure shall be his maximum price for the food product in the new container.

(iii) *Fractions of a cent.* (*a*) In determining the sales price for one or more units of a food product under the provisions of this subparagraph, sellers, other than sellers at retail, shall adjust fractions of one-half cent or more to the next higher cent and fractions of less than a half-cent to the next lower cent.

(*b*) Sellers at retail, in determining maximum prices for a food product under the provisions of this subparagraph, shall adjust increases or decreases of less than one-half cent from their maximum prices of the food product in the tin container to the next higher half-cent. After this adjustment, sellers at retail, in determining the sales price for one or more units, may adjust half-cents to the next higher cent.

(iv) *Report of prices*—(*a*) *Manufacturers.* Within ten days after determining a maximum price under the provisions of this subparagraph, the manufacturer shall report such price to the Office of Price Administration, Washington, D. C. in a statement which shall set forth:

(*1*) The kind, brand and grade of the food product for which a maximum price is determined;

(*2*) The size of the new container and the content thereof by weight or volume;

(*3*) The size of the tin container and the content thereof by weight or volume;

(*4*) The maximum price or prices determined for each class of purchaser to which the manufacturer sells;

(*5*) Each of the figures from which such maximum price was calculated and the actual calculation of such maximum price.

(*b*) *Sellers at retail.* Prior to the tenth day of the month after first offering any cost-of-living commodity for sale the maximum price of which is determined in accordance with the provisions of this subparagraph, a seller at retail shall file with the appropriate War Price and Rationing Board of the Office of Price Administration, in accordance with § 1499.13 (b) of the General Maximum Price Regulation, as amended, a statement showing his maximum price for such commodity.

(v) *Notification of new maximum price*—(*a*) *Deliveries after the effective date hereof.* Any seller, other than a seller at retail, who determines the maximum price for a food product in accordance with the provisions of this subparagraph shall accompany the first delivery of each such food product to each purchaser with a statement in writing in which he shall set forth:

(*1*) That the maximum price of such purchaser is to be determined in accordance with § 1499.73 (a) (7) (ii) of Supplementary Regulation No. 14;

(*2*) The exact amount of the difference between the supplier's maximum price to such purchaser for the food product in the new container and the food product in the tin container, specifically indicating whether such difference is an increase or a decrease from the supplier's maximum price to such purchaser for the food product in the tin container;

(*3*) That such purchaser shall determine his maximum resale price for the food product in the new container by adding such increase to or subtracting such decrease from his maximum price for the food product in the tin container;

(*4*) That, in determining his maximum price, a seller at retail shall adjust increases or decreases of less than one-half cent from his maximum price of the food product in the tin container to the next higher half-cent.

(*5*) Whether such food product is a cost-of-living commodity, and if so, that a seller at retail shall report, to his appropriate War Price and Rationing Board, his new maximum price for such product in accordance with § 1499.13 (b) of the General Maximum Price Regulation, as amended.

(*b*) *Deliveries before the effective date hereof.* Any seller, other than a seller at retail, of food products, the maximum prices of which are determinable in accordance with the provisions of this subparagraph but which were delivered after March 31, 1942 and before the effective date hereof, shall, prior to September 15, 1942 send to each purchaser a statement in writing which shall set forth for such food products the information prescribed in subdivision (v) (*a*), hereof. Such purchaser shall after the receipt of such information determine his maximum prices in accordance with subdivision (ii) hereof. Until such information has been received from his supplier or until September 15, 1942, whichever is earlier, a seller at wholesale or retail may continue to charge for such food products any maximum price which has been lawfully determined, prior to the effective date hereof, under the provisions of the General Maximum Price Regulation.

(vi) *Adjustment of maximum prices.* Any price determined pursuant to this subparagraph shall be subject to adjustment at any time by the Office of Price Administration.

(vii) *Applicability.* This subparagraph shall apply only to sales or deliveries which are, at the time of such sales or deliveries, subject to the general provisions of § 1499.2 of the General Maximum Price Regulation. It shall not apply to any sale or delivery for which a maximum price is in effect, at the time of such sale or delivery, under the provisions of any other price regulation issued or which may be issued by the Office of Price Administration or under the provisions of any supplementary regulation, amendment or order issued under the General Maximum Price Regulation, unless otherwise provided in any such price regulation, supplementary regulation, amendment or order.

(b) *Effective dates.* * * *

(8) Amendment No. 7 (§ 1499.73 (a) (7)) to Supplementary Regulation No. 14 shall become effective August 21, 1942. (Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8002; Filed, August 15, 1942; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.18 (b) of General Maximum Price Regulation—Docket GF3-1107]

SEEMAN BROTHERS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.318 *Adjustment of maximum prices for sales of canned tuna fish sold by Seeman Brothers, Inc.* (a) Seeman Brothers, Inc., of New York, New York, may sell and deliver, and any purchaser may buy and receive from Seeman Brothers, Inc. canned tuna fish at prices not higher than those set forth below:

(1) White meat tuna fish—No. ½ size cans @ $4.85 per dozen;

(2) Light meat tuna fish—No ½ size cans @ $4.00 per dozen.

(b) The adjustments granted in paragraph (a) are subject to the condition that Seeman Brothers, Inc. shall not change its customary allowances, discounts or other price differentials, unless such change results in a lower price.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 18 (§ 1499.318) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 18 (§ 1499.318) shall become effective August 17, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8003; Filed, August 15, 1942; 12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 23 Under § 1499.18 (b) of General Maximum Price Regulation—Docket No. GF3-1043]

SALE KNITTING CO., INC.—MONTGOMERY WARD

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.323 *Adjustment of maximum prices for sweat shirts manufactured by Sale Knitting Company, Inc., for Montgomery Ward.* (a) Sale Knitting Company, Inc., of Martinsville, Virginia, may sell and deliver, and Montgomery Ward may buy and receive from Sale Knitting Company, Inc., the following commodities at prices not higher than those set forth below:

Sweat shirts manufactured for Montgomery Ward under Montgomery Ward catalog Nos. 5807-5808-5811 at $8.62½ per dozen.

(b) The adjustment granted to Sale Knitting Company, Inc., in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by Sale Knitting Company, Inc., to Montgomery Ward.

(2) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942 shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 23 (§ 1499.323) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 23 (§ 1499.323) shall become effective August 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8005; Filed, August 15, 1942; 12:28 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Price Regulation 204]

IDLE OR FROZEN MATERIALS SOLD UNDER PRIORITIES REGULATION NO. 13 [1]

In the judgment of the Price Administrator it is necessary and proper to establish in a separate regulation maximum prices for sales of idle or frozen inventories which, because of their occasional and nonrepetitive character, in many cases cannot be satisfactorily priced under the provisions of specific maximum price regulations or under the General Maximum Price Regulation.[2]

In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 204 are, and will be, generally fair and equitable and in conformity with the level of prices established by the General Maximum Price Regulation, and will effectuate the purposes of the Act.*

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 204 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 204 is hereby issued.

AUTHORITY: §§ 1499.501 to 1499.515, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1499.501 *Prohibition against dealing in idle or frozen materials above maximum prices.*[4] On and after the effective date of this Maximum Price Regulation No. 204, regardless of any contract or other obligation:

(a) No "person" shall sell or deliver any "idle" or "frozen" material at a price higher than the maximum price permitted by this Maximum Price Regulation No. 204;

(b) No person in the course of trade or business shall buy or receive any idle or frozen material at a price higher than the maximum price permitted by this Maximum Price Regulation No. 204: *Provided,* That if, upon the purchase of any idle or frozen material, the purchaser shall receive from the seller a written affirmation that, to the best of his knowledge, information, and belief, the prices charged do not exceed the maximum price established by this Maximum Price Regulation No. 204, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this paragraph; and

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1499.502 *Maximum prices for idle or frozen materials.*—(a) *Idle or frozen material which is in the form in which originally purchased by the seller.* (1) Where a "dollar and cents maximum price" established by any "maximum price regulation"[5] is applicable to the sale by the seller the maximum price shall be the maximum price established by such regulation.

(2) Where no dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller and the material is sold to:

(i) A producer of this, or similar, material, there shall be no maximum price applicable to such sale.

(ii) Any other authorized buyer.

(*a*) The maximum price shall be that maximum price which the original supplier would be permitted to charge for the same or similar materials under the applicable maximum price regulation, including the same discounts, allowances, or premiums for quantity, quality, shape, form, class of purchaser, or promptness of payment. In computing what delivery charges, if any, the seller may add to the maximum price thus established, the provisions of the applicable maximum price regulation shall be followed and for the purpose of the computation the material shall be considered as if it were located at the original supplier's plant, warehouse or place of business, irrespective of the present location of the material.

(*b*) If the original supplier has no maximum price for the same or similar material, the maximum price f. o. b. the present location of the material shall be the "actual delivered cost" of the material to the seller.

(b) *Idle or frozen materials which have been fabricated, processed, or otherwise altered or alloyed, assembled, mixed, or otherwise combined so that they are no longer in the form in which originally purchased by the seller.* (1) If sold to a person who regularly purchases materials in substantially the same fabricated, processed, altered, alloyed, assembled,

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5167, 5604.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5192, 5365, 5445, 5563, 5484, 5775, 5784, 5763, 6059, 6091, 6007, 6216.

[3] 7 FR. 971, 3663.

[4] The meaning of certain terms used in this and subsequent sections is explained in § 1499.511. The terms so explained are italicized the first time they appear in the text.

[5] Any district, state or regional office of the Office of Price Administration can supply a list of the materials covered by maximum price regulations.

mixed, or otherwise combined form either for his own use in further manufacturing or processing operations or for resale in such form, or to a person who would otherwise himself alter or combine the materials into substantially the same form in the course of his operations and

(i) If a dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller, the maximum price shall be the maximum price established by such regulation;

(ii) If no dollar and cents maximum price established by any maximum price regulation is applicable to the sale by the seller, the maximum price f. o. b. the present location of the materials shall be the actual delivered cost of the materials to the seller, plus actual direct labor costs of fabricating, processing, alloying, assembling, mixing or combining the materials into their present form, plus the same percentage markup over cost of materials and direct labor costs which was obtained by the seller during the last previous month's production of the completed product or products into which the materials would normally have gone. If the seller is unable to determine the allowable percentage markup because the materials were fabricated, processed, alloyed, assembled, mixed or combined into their present form for inclusion in a product intended for use by the seller and not for sale, he may use a percentage markup of not more than 10 percent.

(2) If sold to any other authorized buyer and

(i) If a dollar and cents maximum price established by a maximum price regulation is applicable to the sale of such materials as scrap, waste or salvage, the maximum price shall be the maximum price established by such regulation; or

(ii) If there is no dollar and cents maximum price established by a maximum price regulation and applicable to the sale of such material as scrap, waste or salvage and the materials are sold to a person other than an industrial consumer of such materials, or a Government department or agency, there shall be no maximum price applicable to such sale; or

(iii) If no dollar and cents maximum price is established by a maximum price regulation applicable to the sale of such materials as scrap, waste or salvage, and if the materials are sold as scrap, waste or salvage to an industrial consumer of such materials or to a Government department or agency except as hereafter provided, the maximum price f. o. b. the present location of the materials shall be 80% of the actual delivered cost of the materials to the seller.

§ 1499.503 *Sales for export.* The maximum price at which a person may export idle or frozen material shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration.

[6] 7 F.R. 5059.

§ 1499.504 *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of idle or frozen material imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for idle or frozen material and in preparing the records of such seller with respect thereto:

(a) If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 204.

(b) In all other cases the seller may not collect the amount of such tax in addition to the maximum price.

§ 1499.505 *Less than maximum prices.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 204 may be charged, demanded, paid or offered.

§ 1499.506 *Sales excepted from this Maximum Price Regulation No. 204 and other maximum price regulations.* Nothing in this Maximum Price Regulation No. 204 or in any other maximum price regulation issued prior to the effective date of this Maximum Price Regulation No. 204, or in any maximum price regulation issued on or after the effective date of this Maximum Price Regulation No. 204, unless otherwise hereafter specifically provided in such maximum price regulation, shall apply to any sale or delivery of any material to the War Department, Department of the Navy, Maritime Commission, Lend-Lease Section of the Procurement Division of the Treasury Department, Board of Economic Warfare, Commodity Credit Corporation, Reconstruction Finance Corporation or any subsidiary or agent thereof, pursuant to any program for the purchase of surplus inventories, announced by the War Production Board or any other Government department or agency, specified in an order hereafter issued

§ 1499.507 *Records and reports.* (a) On and after the effective date of this Maximum Price Regulation No. 204 every person making sales of idle or frozen materials shall make and keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale showing (1) a description of the material, (2) the quantity sold, (3) when, at what price and from whom the material was purchased, (4) when, at what price and to whom the material was sold, and (5) how the selling price was arrived at.

(b) Every person making purchases or sales of idle or frozen materials shall under this section identifying such program and establishing maximum prices for such purchases.
submit such reports to the Office of Price Administration, and keep such records in addition to, or in place of, the records required by paragraph (a) of this section as the Office of Price Administration may, from time to time, require.

§ 1499.508 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 204 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 204 or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1499.509 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 204 shall not be evaded whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, idle or frozen material, alone or in conjunction with any other material, or by use of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement, trade understanding or otherwise.

§ 1499.510 *Applications for adjustment and petitions for amendment*—(a) *Applications for adjustment.* Any person seeking relief from a maximum price established by this Maximum Price Regulation No, 204 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Procedural Regulation No. 1, shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 204 to eliminate the danger of inflation, shall establish that the prospective purchaser is able and willing to absorb such increase in price, and shall include the information required by Appendix A, incorporated herein as § 1499.515.

(b) *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 204 (other than an adjustment provided by paragraph (a) of this section) may file a petition for amendment in accordance with the provisions of

Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1499.511 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government or any of its political subdivisions or any agency of the foregoing.

(2) "Idle or frozen materials" means any commodity, accessory, part, assembly or product not in a form normally sold by the seller in the ordinary course of his business and sold or delivered pursuant to Priorities Regulation No. 13 issued by the Division of Industry Operations of the War Production Board on July 7, 1942. It does not include any raw or unprocessed agricultural commodity.

(3) "Dollar and cents maximum price" means any price fixed by or determinable under a maximum price regulation, except (i) a maximum price which is arrived at by the use of a formula which requires the seller to take into account certain or all of his production costs and markups, or (ii) which is determined by reference to the price at which the seller or some other person sold or offered the material for sale during a given period of time. It includes all discounts, allowances, or premiums for quantity, quality, shape, form, class of purchaser, or promptness of payment required or permitted by such maximum price regulation. In computing what delivery charges, if any, the seller may add to the maximum price thus established, the provisions required or permitted by such regulation shall be followed.

(4) "Maximum price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942 or a maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to such schedule or regulation.

(5) "Authorized buyer" means any person authorized to purchase idle or frozen materials under the provisions of Priorities Regulation No. 13 or any order of the Director of Industry Operations issued under paragraph (c) (2) (ii). thereof.

(6) "Original supplier" means the person from whom the seller originally purchased the material, except that if the material was originally purchased from more than one supplier, and if the seller cannot identify the material purchased from each supplier, the last person from whom any portion of the material was purchased shall be considered as the original supplier.

(7) "Actual delivered cost" means the net price per unit actually paid by the seller for the material after deducting all discounts allowed to the seller and adding all transportation and delivery charges actually paid by the seller. It does not include any storage, handling, or other charges paid or received after the material was received at the seller's plant or warehouse. If the material was originally purchased at more than one price, and if the seller cannot identify the material purchased at each price, the actual delivered cost shall be the delivered cost paid for the last portion of the material delivered, unless the seller maintains an average delivered cost valuation upon his inventory of such material, in which case it shall be that average delivered cost.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Price Regulation No. 204.

§ 1499.512 *Effect of other regulations.* The provisions of this Maximum Price Regulation No. 204 supersede the provisions of the General Maximum Price Regulation and any other maximum price regulation, except Maximum Price Regulation No. 174—Freight Car Materials Sold By Car Builders,[1] issued prior to the effective date of this Maximum Price Regulation No. 204 with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 204. To the extent provided in § 1499.506, this Maximum Price Regulation No. 204 shall supersede the provisions of any maximum price regulation issued on or after the effective date of this Maximum Price Regulation No. 204 unless otherwise hereafter specifically provided in such maximum price regulation.

§ 1499.513 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 204 shall apply to the forty-eight states of the United States and to the District of Columbia.

§ 1499.514 *Effective date.* Maximum Price Regulation No. 204 (§§ 1499.501 to 1499.515) shall become effective August 20, 1942.

§ 1499.515 *Appendix A: Information required in a petition for adjustment pursuant to § 1499.510(a) in addition to the information required by Procedural Regulation No. 1.*—(a) *Material in the form in which originally purchased.*

(1) Complete description of material, including all specifications and all other factors affecting price.

(2) The product or products for use in which material was originally purchased, together with a description of the manner in which the material was to have been used.

(3) Amount of material for sale (specify in physical units).

(4) Actual delivered cost of material including names and addresses of suppliers, dates of purchase and delivery, unit price paid, and transportation charges actually paid, if any, shown separately. (If purchased at more than one delivered cost and portions of material are identifiable, show amount bought at each delivered cost; otherwise, show highest and lowest delivered cost, delivered cost of last purchase, and average inventory delivered cost, if such a record is regularly maintained.)

(5) The present ceiling price of each original supplier. If original supplier has no present ceiling price, explain why.

(6) Name and address of prospective purchaser or purchasers.

(7) The proposed price.

(8) Detailed explanation of the reasons justifying an exception for this material from the provisions of Maximum Price Regulation No. 204, including wherever possible a written statement from each prospective purchaser that the proposed price will not be used by him as the basis for any application for adjustment, exception or amendment to any maximum price regulation.

(9) The seller shall also furnish his last available balance sheet and profit and loss statement as normally prepared for his own use, except that the profit and loss statement shall show as a separate item the profit before Federal income and excess profits taxes.

(b) *Material not in the form in which originally purchased.* (1) Complete description of present form of material, including specifications, operations performed, amounts of component elements, and any or all other factors affecting price.

(2) Description of component materials in form in which originally purchased.

(3) Product or products for use in which material was originally purchased and fabricated, processed or altered, together with a description of the further fabrication or processing which would normally have taken place.

(4) Amount of material for sale (specify in physical units).

(5) Actual delivered costs of component materials, including names and addresses of suppliers, dates of purchase and delivery, unit prices paid, and transportation charges actually paid, if any, shown separately. (If some or all of the materials were purchased at more than one delivered cost and portions of the materials are identifiable, show amounts bought at each price; otherwise, show highest and lowest delivered costs, delivered costs of last purchases, and average delivered costs of inventories, if such records are regularly maintained.)

(6) Direct labor costs of fabrication, explaining in detail how those costs were measured or estimated.

(7) Last full month in which product or products referred to in (3) were sold.

(i) Total net sales of those products for that month

(ii) Cost of materials used in the production of those products sold during that month

(iii) Direct labor costs incurred in the production of those products sold during that month, explaining how those costs were measured or estimated.

[1] F.R. 5061.

(8) Names and addresses of prospective purchasers.

(i) Nature of each of their businesses.

(ii) Purpose for which each of them proposes to acquire the material.

(9) The proposed price.

(10) Detailed explanation of reasons justifying an exception for this material from the provisions of Maximum Price Regulation No. 204, including wherever possible a written statement from each prospective purchaser that he will not use the proposed price as the basis for any application for adjustment, exception or amendment to any maximum price regulation.

(11) The seller shall also furnish his last available balance sheet and profit and loss statement as normally prepared for his own use except that the profit and loss statement shall show as a separate item the profit before Federal income and excess profits taxes.

Issued this 15th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8006; Filed, August 15, 1942; 12:21 p. m.]

PART 1309—COPPER

[Correction to Amendment 1[1] to Revised Price Schedule 20, as amended.[2]]

COPPER SCRAP AND COPPER ALLOY SCRAP

In Footnote No. 2 to the table in § 1309.71 (b) (2), the second occurrence of the price for No. 2 Copper Wire and Mixed Heavy Copper appearing as "8.75¢" is corrected to appear as "8.65¢".

* * * * *

§ 1309.70a *Effective date of amendments.* * * *

(b) Correction (§ 1309.71 (b) (2)) to Amendment No. 1 to Revised Price Schedule No. 20, as amended, shall become effective August 17, 1942.

(Pub. Law 421, 77th Cong.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8031; Filed, August 17, 1942; 11:53 a. m.]

PART 1367—FERTILIZERS

[Maximum Price Regulation 205]

SULPHATE OF AMMONIA PRODUCERS, IMPORTERS AND PRIMARY JOBBERS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of sulphate of ammonia by producers, importers or primary jobbers. The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of the prices established by the General Maximum Price Regulation.[1] So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the Procedural Regulation No. 1,[2] issued by the Office of Price Administration, Maximum Price Regulation No. 205 is hereby issued.

AUTHORITY: §§ 1367.51 to 1367.63 inclusive, issued under Pub. Law 421, 77th Cong.

§ 1367.51 *Maximum prices for sulphate of ammonia.* On and after August 22, 1942 regardless of any contract, agreement or other obligation, no producer, importer or primary jobber shall sell or deliver sulphate of ammonia, and no person in the course of business shall buy or receive sulphate of ammonia from a producer, importer or primary jobber at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1367.63; and no such person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of sulphate of ammonia to a purchaser if prior to August 22, 1942 such sulphate of ammonia had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1367.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1367.63) may be charged, demanded, paid or offered.

§ 1367.53 *Conditional agreements.* No producer, importer or primary jobber of sulphate of ammonia shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1367.63, in the event that this Maximum Price Regulation No. 205 is amended or determined by a court to be invalid or upon any other contingency: *Provided,* That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of this petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1367.54 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 205 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to sulphate of ammonia, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practice is prohibited: Selling sulphate of ammonia f. o. b. the point of production in order to avoid the payment of all or part of the cost of transportation to buyer's true destination point, as required by § 1367.54. The seller is required to make every reasonable effort to determine the buyer's true destination point.

§ 1367.55 *Records and reports.* (a) On and after August 22, 1942 every producer, importer or primary jobber who offers, agrees to sell, sells, or delivers sulphate of ammonia shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer, the destination point, the price charged or received, the total transportation charges, the amount of the transportation charges paid by the producer, importer, or primary jobber and the quantity sold.

(b) Persons affected by this Maximum Price Regulation No. 205 shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1367.56 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 205 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 205 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1367.57 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 205 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1367.58 *Licensing.* The provisions of Supplementary Order No. 11[3] "Licensing distributors of chemicals and drugs" shall be applicable to every distributor subject to that Order selling any sulphate of ammonia for which maxi-

[1] 7 F.R. 5316.

[2] 7 F.R. 3404, 3489, 5516.

[1] F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783.

[2] 7 F.R. 971, 3663.

[3] 7 F.R. 6167.

mum prices are fixed by this Maximum Price Regulation No. 205. When used in this section the term distributor shall have the meaning given to it by Supplementary Order No. 11.[3]

§ 1367.59 *Applicability of the General Maximum Price Regulation.* Except as provided in §§ 1367.58 and 1367.61 (b), this Maximum Price Regulation No. 205 supersedes the provisions of the General Maximum Price Regulation[4] with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1367.60 *Exempt sales.* (a) The provisions of this Maximum Price Regulation No. 205 shall not apply (1) to sales of sulphate of ammonia for shipment to a destination point in any of the States of Washington, Oregon, California, Montana, Wyoming, Idaho, Nevada, Utah, Arizona or in the territories of Alaska or Hawaii, (2) to sales of sulphate of ammonia for industrial uses.

§ 1367.61 *Definitions.* (a) When used in this Maximum Price Regulation No. 205 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Producer" means a person who manufactures sulphate of ammonia and includes any agent or affiliate of a producer.

(3) "Importer" means a person who imports sulphate of ammonia from a foreign country for resale in this country.

(4) "Primary jobber" means a person such as The Barrett Division of Allied Chemical and Dye Corporation who purchases sulphate of ammonia from a producer for resale to others than consumers.

(5) "Sulphate of Ammonia" means the various grades of ammonium sulphate, containing not less than 20.5% of nitrogen, when sold or marketed as an aid to the growth of plants or crops.

(6) "Inland oven" means the following:

Alabama:
- Alabama City.
- Fairfield.
- North Birmingham.
- Tarrant.
- Thomas.
- Woodward.

Colorado:
- Pueblo.

Illinois:
- Chicago.
- Joliet.
- Rockford.
- South Chicago.
- Waukegan.

Indiana:
- Gary.
- Indiana Harbor.
- Indianapolis.

Michigan:
- Detroit.
- Flint.

Minnesota:
- Duluth.
- St. Paul.

Missouri:
- St. Louis.

New York:
- Buffalo.
- Lackawanna.
- Troy.

Ohio:
- Canton.
- Cleveland.
- Hamilton.
- Lorain.
- Massilon.
- Toledo.
- Warren.
- Youngstown.

Pennsylvania:
- Aliquippa.
- Bethlehem.
- Clairton.
- Erie.
- Johnstown.
- Midland.
- Neville Island.
- Pittsburgh.
- Steelton.
- Swedeland.

Tennessee:
- Chattanooga.

West Virginia:
- Fairmont.
- Follansbee.
- Weirton.

(7) "Port" means the following:

Maine:
- Searsport.

Massachusetts:
- Everett.
- Boston.

Connecticut:
- New Haven.

New York:
- Hunts Point.
- Brooklyn.
- New York.

New Jersey:
- Kearny.
- Carteret.
- Camden.

Pennsylvania:
- Philadelphia.

Mississippi:
- Gulfport.

Maryland:
- Baltimore.

Virginia:
- Norfolk.

North Carolina:
- Wilmington.

South Carolina:
- Charleston.

Georgia:
- Savannah.

Florida:
- Jacksonville.
- Tampa.
- Panama City.
- Pensacola.

Alabama:
- Mobile.

Louisiana:
- New Orleans.
- Lake Charles.

(8) "Port nearest to such destination" means the port from which the lowest railroad rate from such port applies to the buyer's destination.

(9) "Inland oven nearest to such destination" means the inland oven from which the lowest railroad rate from such oven applies to the buyer's destination.

(b) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation[5] and the definitions set forth in § 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1367.62 *Effective date.* This Maximum Price Regulation No. 205 (§§ 1367.51 to 1367.63 inclusive) shall become effective August 22, 1942.

§ 1367.63 *Appendix A: Maximum Prices for sulphate of ammonia.* (a) Except as provided in paragraphs (b), (c), (d), (e) and (f) of this section, the maximum price a producer, importer or primary jobber may charge for sulphate of ammonia shall be the lower of the following prices:

(1) The base price of $28.20 per ton at inland oven, plus the transportation charges to buyer's destination from the inland oven nearest to such destination; or

(2) The base price of $29.20 per ton at port, plus the transportation charges to buyer's destination from the port nearest to such destination.

(b) *Sales to destination points in certain mid-western states.* The maximum price a producer, importer or primary jobber may charge for sulphate of ammonia, where buyer's destination is in any of the states of Ohio, Indiana, Michigan, Illinois, Kentucky, Wisconsin or in the Ohio River section of West Virginia, shall be the lower of the following prices:

(1) The base price of $29.20 per ton, delivered to buyer's destination, or

(2) The base price of $28.20 per ton at inland oven, plus the transportation charges to buyer's destination from the inland oven nearest to such destination.

(c) *Diverted shipments of sulphate of ammonia.* In the event that a purchaser of sulphate of ammonia directs a producer, importer or primary jobber to make shipments of sulphate of ammonia to a destination point other than the destination point specified in the contract for the sale of such material, the buyer may be required to pay any increase in freight charges arising from such change in destination point, except in a case within the prohibition contained in § 1367.54 (b). This paragraph shall have no application to diverted shipments of sulphate of ammonia due to orders, instructions or requests of War Production Board or any other government agency.

(d) *Sales to Office of Lend-Lease Administration.* The maximum price a producer, importer or primary jobber of sulphate of ammonia may charge the Office of Lend-Lease Administration shall be $28.20 per ton f. o. b. inland oven, or $29.20 per ton f. o. b. port oven.

(e) *Export sales.* The maximum price at which a producer, importer or primary jobber may export sulphate of ammonia shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[6] issued by the Office of Price Administration. For the purposes of §§ 1375.1 (a) and 1375.1 (b) of that regulation, the maximum domestic price of sulphate of ammonia shall be $28.20 per ton f. o. b. inland oven or $29.20 per ton f. o. b. port oven, except in the case of exports to Puerto Rico or the Virgin Islands of the United States, in which case the maximum domestic price shall be $29.20 per ton f. o. b. the port of normal exportation of such material.

(f) *Bags and bagging.* Whenever the producer, importer or primary jobber sells sulphate of ammonia in bags, there may be added to the maximum prices permitted by paragraphs (a), (b), (c), (d) and (e) above, the sum of $1.00, together with the cost of the bags.

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8033; Filed, August 17, 1942; 11:54 a. m.]

[3] 7 F.R. 6167.
[4] *Supra*, note 1.
[5] *Supra*, note 1.
[6] 7 F.R. 5059.

PART 1400—TEXTILE FABRICS; COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 10 to Maximum Price Regulation 118 [1]]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: § 1400.115 (a) (5) (ii) (*n*), (a) (6), (a) (7); § 1400.118 (a) (8), (d) (2) (vii), (d) (18) reference numbers 7 through 18h, (d) (22) (ii) (*c*), (d) (25) (iii) reference number 5, footnote 1, (d) (26) (v) (*h*), (d) (26) (v) (*i*).

Amended: § 1400.115 (a) (1), (a) (5) (ii) (*l*); § 1400.118 (d) (8) (i), (d) (18) reference number 6, (d) (24) (v) the words "Concord Fabrics" and "Toggeroy" are amended to read "Concord Textile Co." and "Togeroy", respectively; (d) (26) (i), (d) (26) (ii), (d) (26) (v) (*f*), (d) (29).

Redesignated and amended: § 1400.118 (vii) to (viii).

Revoked: § 1400.118 (d) (28).

§ 1400.115 *Definitions.* (a) * * *

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing;

* * * * *

(5) "Cotton products". * * *

(ii) The term does not include * * *

(*l*) products of the following persons:

* * * * *

Granite Textile Mills, Inc., Midland Park, N. J.

* * * * *

(*n*) Any product of non-profit-making agency for the blind on which 75 percent of the direct labor in man-hours has been performed by blind persons;

* * * * *

(6) "Non-profit-making agency for the blind" means any institution operated in the interest of blind persons, the net income of which institution does not inure in whole or in part to the benefit of shareholders or individuals;

(7) "Blind persons" means persons whose visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity is greater than 20/200 but who have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

* * * * *

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5524, 5405, 5567, 5836.

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* (a) The effective dates of the maximum prices set forth in paragraph (d) of this section are as follows:

* * * * *

(8) For printed flannels, miscellaneous special products, reference numbers 7 through 18h inclusive, terry products of Blair Mills and Muscogee Manufacturing Company, and for huck and crash towels and corded napkins (other than those described in subparagraph (5) above): August 22, 1942.

(d) * * *

(2) *Flannels.* * * *

(vii) *Printed flannels.* (*a*) The base maximum prices for printed flannels containing substantially the same coverage and amount of color as the fabrics in each seller's line delivered during the base period shall be:

Width (inches)	Finished weight (yds. per lb., market designation)	Women's wear patterns	Heavy colors—men's wear patterns
		Cents per yd.	
35-36	4.31-4.50	18¾	19¼
35-36	4.30 and heavier	19¼	19¾
27	Approx. 6.50	15	15½

(*b*) In addition to the base maximum price the seller may charge for sanforizing an amount no exceeding his charge therefor during March, 1942.

(*c*) For irregulars the base maximum prices shall be decreased as follows:

	Cents per yard
Seconds	½
10–20 yd. lengths	½
2–10 yd. lengths	1¾

(viii) *Other flannels.* For flannels of any type, construction, or grade not covered by the maximum prices in (i) to (vii), inclusive, above, the maximum price shall be a price in line with [12] said maximum prices. * * *

(8) *Ducks (in the grey)*—(i) *Put up; irregulars.* (*a*) The maximum prices established in subdivisions (ii), (vi), (ix), (xi) and (xii) for numbered duck (wide sail, narrow, and harvester), wagon-cover duck (double-filling flat duck), laundry roll cover duck (plied warp and plied filling), oil press duck (naught duck), and filter twills are for continuous rolls of 85 yards or more. For irregulars of these fabrics the maximum prices there established shall be decreased as follows:

	Percent
Seconds	5
Two-piece rolls, firsts or seconds	5
Lengths 2.01 to 10 yds	25

(*b*) The maximum prices established in subdivisions (iii), (iv), (v), and (viii) below for single-filling ounce duck (flat duck), double filling ounce duck (flat duck), army duck (including shoe duck) and enameling duck are for cuts of 40 yards or more where bale packing is customary and for cuts of 85 yards or more where roll packing is customary. For irregulars of these goods the maximum prices shall be decreased as follows:

	Goods of types customarily bale-packed	Goods of types customarily roll-packed
	Percent	Percent
Seconds	5	5
Two-piece rolls, firsts or seconds		5
Short lengths:		
20.01 to 39.99 yds	10	
10.01 to 20 yds	15	
2.01 to 10 yds	25	25

(*c*) The maximum prices established in (vii) and (x) below for hose and belting duck and chafer fabrics are for continuous length pieces as specified by the buyer. For irregulars, the maximum prices there established shall be decreased as follows:

	Percent
Seconds	5
Lengths over 10 yards but shorter than specified by the buyer	5
Lengths 2.01 to 10 yds	25

(*d*) For pieces of any duck less than 2 yards in length the maximum price shall be 20.37 cents per pound.

* * * * *

(18) *Miscellaneous special products.* * * *

Reference No.	Description	Producer	Maximum price
*	*	*	*
6	Luggage cloth: Type A: 37" 54 x 36 3.70 yds.	Stonewall Cotton Mills, Inc.	18.1 cents per yd.
	Type B: 37" 76 x 34 3.10 yds.		22.6 cents per yd.
7	56" Cap cloth	Swift Manufacturing Company.	50 cents per yd.
8	57" MacFarlane Coating	Swift Manufacturing Company.	46 cents per yd.
9	Hat cloth	Swift Manufacturing Company.	

Style	Width	Weave		
S-1777	34"	Plain		21⅛ cents per yd.
S-1777	36"	Plain		22¾ cents per yd.
M-472-A	36"	Plain		21⅛ cents per yd.
S-1818	36"	Dobby		26⅜ cents per yd.
S-1820	36"	Dobby		21¼ cents per yd.

[12] For definition of the term "in line with", see footnote 5, § 1400.101.

Reference No.	Description	Producer	Maximum price
10	Leno fabric 60" 10 x 5 6.78 yds, per lb., warp yarn number 9, filling yarn number 12/2 ply.	Swift Manufacturing Company.	45 cents per lb.
11	Meads cloth of the following construction conforming to Federal Specifications U-P-401 or any closely related construction serving the same functional use: 40½" to 41" 74 to 75 warp ends 86 picks. Weight—2.85 to 2.90.		63½ cents per lb., net 10 days.
12	Buff cloth 40" to 41" 84 x 92 2.85 to 3.00.		62 cents per lb., net 10 days.
13	Girl Scout colored-yarn uniform cloth.		69¾ cents per yd.
14	60" 72 x 48 1.25 yd. drill	Roanoke Mills Company. Rosemary Mfg. Company.	45 cents per lb., terms, net 10 days.
15	Sugar bagging style #1939 51" 45 x 30 1.30 yd. part waste:	Swift Mfg. Co.	
	Grey		39⅛ cents per lb.
	Piece-dyed finish		41¼ cents per lb.
16	Crash fabric S-1905 40 x 28 7 oz. to sq. yd. 25 percent stock dyed black cotton:	Swift Mfg. Co.	
	Under 42"		37¾ cents per lb.
	42" and over		41⅛ cents per lb.
17	Finished osnaburg S-1847 50" and over 4.5 x 4.67 1.65 yd. (basis 54") spiral filling yarn.	Swift Mfg. Co.	45⅛ cents per lb.
18a–18h	Table coverings and napkins	Bates Mfg. Co.	(The maximum prices for reference numbers 18a through 18h are subject to terms of 3 percent 10 days, 2/10 60 extra, f. o. b. mill.)
18a	S/1330—colored-yarn damask, 45" wide.	Bates Mfg. Co.	62¼ cents per yd.
18b	S/1330—colored-yarn damask, 54" wide.	Bates Mfg. Co.	69¼ cents per yd.
18c	S/1370 Alpine Cover 58 x 58 (jacquard damask).	Bates Mfg. Co.	$1.07¼ each.
18d	S/1372 Peasant Cover Set (jacquard) 52 x 52—4 napkins 12 x 14.	Bates Mfg. Co.	$1.70¼ per set.
18e	S/1372 Peasant Cover Set 52 x 52—6 napkins 12 x 14.	Bates Mfg. Co.	$1.75½ per set.
18f	S/1372 Peasant Cover Set 52 x 72—8 napkins 12 x 14.	Bates Mfg. Co.	$2.21 per set.
18g	S/1394 Cherry Cover Set (jacquard) Cover 54 x 54—6 napkins 17 x 17.	Bates Mfg. Co.	$2.18¾ per set.
18h	S/1396 El Patio—Cover 54 x 54—6 napkins 14 x 14.	Bates Mfg. Co.	$1.83 per set.

* * * * *

(22) *Bedspreads.* * * *

(ii) * * *

(c) The following additional amounts for the below-mentioned styles of Stevens Textile Manufacturing Company, Fall River, Massachusetts: 4½ cents for styles designated Charleston Basket, Candle-Dot, and Plantation, and 1½ cents for the style designated Hollywood, in each case per pound of cotton contained in the bedspread after weaving and before any finishing or fabrication.

* * * * *

(25) *Cottonades and whipcords.* * * *

(iii) * * *

Reference No.	Width	Weight (yds. per lb.)	Finish	Trade name	Cents per yard
*	*	*	*	*	*
5	36"	1.45	Sanforized	"Champion"	[1] 32½
*	*	*	*	*	*

[1] For double napped goods of this trade name a premium of ½ cent per yard may be charged

(26) *Terry products.* (i) The following maximum prices for terry products shall be subject to the terms listed below in connection with each seller's line:

(a) Callaway Mills	3% 10 days, or 2% 10 days, 60 extra, f. o. b. mill, La Grange, Ga. 5% trade discount to jobbers — net, no discount to retailers.
(b) Cannon Mills Co.	3% 30 days, f. o. b. mill, Kannapolis, N. C.
(c) Cone Export and Commission Co.	2% 10 days, 60 extra, f. o. b. mill, Cliffside, N. C.
(d) Marshall Field & Co.	2% 10 days, 60 extra, f. o. b. mill, Fieldale, Va.
(e) Mooresville Cotton Mills.	3% 30 days, f. o. b. mill, Mooresville, N. C.
(f) Wellington Sears Co.	3% 10 days, or 2% 10 days, 60 extra, f. o. b. mill.
(g) Woodward Baldwin & Co.	2% 10 days, 60 extra, f. o. b. Georgia Kincaid Mills, Griffin, Ga.
(h) Blair Mills	2% 10 days, 60 extra, f. o. b. mill, Belton, S. C.
(i) Muscogee Manufacturing Co.	Same terms to each customer or class of customer as were accorded during third quarter of 1941.

(ii) * * * This subdivision (ii) shall not be applicable to terry products produced and sold by Muscogee Manufacturing Company, Columbus, Georgia.

* * * * *

(v) * * *

(f) Wellington Sears Company, 65 Worth Street, New York City.

* * * * *

TABLE II—PLAIN INSTITUTIONAL MERCHANDISE

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
*	*	*	*	*
Wash cloths	374	62	12 x 12	0.775
*	*	*	*	*

TABLE III.—NAME-WOVEN INSTITUTIONAL MERCHANDISE

A—MARTEX DIVISION

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) (*50 dozen lots*)	Maximum price (dollars per dozen) (*100 dozen lots*) (*25 dozen lots*)
*	*	*	*	*	*
BATH MATS:					
*	*	*	*	*	*
	456	263	20 x 30		8.47
	457	1,950	20 x 30		7.92
	458	1,960	20 x 30		8.46
	459	278	22 x 36		11.50
	460	1,950	22 x 33		10.13
	461	1,960	22 x 33		11.38

* * * * *

(*h*) Blair Mills, Belton, South Carolina.

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Turkish towels	1	239	16 x 30	$0.94
	2	265	17½ x 34	1.14
	3	130	17½ x 34	1.15
	4	407	19 x 39	1.46
	5	420	19 x 39	1.46
	6	421	19 x 39	1.46
	7	408	19 x 39	1.51
	8	711	20 x 40	1.93
	9	719	20 x 40	1.98
	10	723	20 x 40	1.98

(*i*) Muscogee Manufacturing Company, Columbus, Georgia.

For irregulars of terry products manufactured by Muscogee Manufacturing Company the maximum prices set forth herein shall be as follows:

	Percent of the maximum prices set forth below
Seconds:	
Other than name-woven	95
Name-woven	85
	Percent of the average price per pound of firsts invoiced during preceding month
Thirds	75
Samples, longs, and shorts	85

* * * * *

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	1	2	36 x 68	7.81
	2	G-4	17 x 30	1.23
	3	19	36 x 68	7.80
	4	H-114	14 x 24	.81
	5	H-120	21 x 13	.59
	6	H-147W	16 x 32	1.31
	7	H-147C	16 x 32	1.32
	8	175	15 x 26	1.07
	9	180	15 x 26	1.07
	10	185	16 x 30	1.24
	11	192	18 x 36	1.49
	12	253	15 x 29½	.95
	13	277	22 x 44	3.15
	14	278	18 x 34	1.41
	15	278A	18 x 32	1.34
	16	280	15 x 29½	1.08
	17	330	24 x 48	4.85
	18	340	19¾ x 40	2.81
	19	304	20 x 40	2.05
	20	304A	20 x 40	2.53
	21	406	20 x 40	2.63
	22	413X	13 x 26½	.95
	23	551A	22 x 44	5.13
	24	551B	22 x 44	4.52
	25	551C	17 x 29	2.67
	26	612	19 x 38	3.07
	27	618	20 x 40	2.92
	28	618A	20 x 40	3.00
	29	678	20 x 40	2.18
	30	682	22 x 44	3.04
	31	683A	16 x 28	1.61
	32	723	18 x 36	1.29
	33	724	17 x 30	1.23
	34	764R	19 x 38½	2.88
	35	764X	19 x 38½	2.91
	36	768	22 x 44	2.17
	37	784	20 x 36	2.93
	38	823	16½ x 22	1.20
	39	1627W	16½ x 27	1.48
	40	1627C	16½ x 27	1.50
	41	1629W	17 x 27	1.78
	42	1629C	17 x 27	1.80
	43	2045	20 x 40	2.09
	44	2059	16½ x 30	1.08
	45	2468	18 x 36	1.60
	46	2469	20 x 40	1.94
	47	2470	22 x 44	2.31
	48	2473	22 x 44	3.02
	49	2991	23 x 46	3.14
	50	3011	22½ x 44	2.99
	51	3012	22 x 44	3.12
	52	3014A	22 x 44	3.92
	53	4308A	19¼ x 18	.91
	54	4321	20 x 40	2.88
	55	5286	18 x 36	1.57
	56	5287	20 x 40	1.89
	57	5288	22 x 44	2.28
	58	6078	16 x 28	1.64
	59	6079	22 x 44	3.04
	60	6079A	21 x 42	2.90
	61	7513	17¼ x 36	1.88
	62	8002	18 x 36	1.41
	63	8003	20 x 40	1.85
	64	8016	16 x 28	1.33
	65	8019	20 x 42	3.01
	66	8031	36 x 68	8.32
	67	8043	14 x 26	.82
	68	8044	20 x 40	4.00
	69	8049	16 x 28	1.73
	70	8058	16 x 27	1.90
	71	8059	16 x 27	2.02
	72	8063	17 x 34	2.26
	73	8065	22 x 44	2.84
	74	8067	18 x 36	1.92
	75	8068	20 x 40	2.18
	76	8069	22 x 44	2.62
	77	8071	20 x 40	2.95
	78	8073	20 x 40	1.89
	79	8074	18 x 36	1.58
	80	8077	16 x 28	1.47
	81	8078	22 x 44	2.85
	82	8082	22 x 44	3.68
	83	8092	22 x 44	4.01
	84	8097	20 x 40	1.67
	85	8098	20 x 40	1.62
	86	8100	14½ x 29	.79
	87	8103	20 x 40	2.19
	88	8124	20 x 44	3.59
	89	8129	22 x 44	3.64
	90	8130	17 x 27	1.98
	91	8132	20 x 40	2.52
	92	8144	20 x 40	1.88
	93	8157	16 x 28	1.56
	94	8161	17 x 34	1.26
	95	8162	22 x 44	3.58
	96	8163	16 x 27	2.13
	97	8165	25 x 48	5.90
	98	8167	20 x 40	3.27
	99	8170	22 x 44	4.02
	100	8173	28 x 56	6.03
	101	8174	36 x 68	7.89
	102	8175	28 x 56	5.49
	103	8177	16 x 28	2.15
	104	8179	20 x 40	2.63
	105	8180	16 x 32	1.74
	106	8181	28 x 56	4.58
	107	8182	20 x 40	2.31
	108	8183	20 x 40	2.77
	109	8185	22 x 44	3.00
	110	8186	16 x 27	1.23
	111	8187	24 x 48	5.75
	112	8199	20 x 40	1.73
	113	8202A	17 x 34	1.21
	114	8203	18 x 36	1.72
	115	8205	16 x 32	1.27
	116	8210	22 x 44	3.43
	117	8211	17 x 27	2.00
	118	8211A	17 x 27	1.93
	119	8224	20 x 40	2.05
	120	8225	22 x 44	2.47
	121	8226	18 x 36	1.66
	122	8227	20 x 40	1.94
	123	8229	22 x 44	2.43
	124	8232	20 x 40	1.82
	125	8233	18 x 36	1.45
	126	8235	20 x 40	1.85
	127	8236	16 x 27	1.95
	128	8246	16 x 27	1.95
	129	8247	14½ x 29	.93
	130	8248	16 x 27	1.90
	131	8249	20 x 40	3.40
	132	8253	16 x 28	1.20
	133	8259	18 x 36	2.52
	134	8262	16 x 26	1.04
	135	8264	22 x 44	3.59
	136	8267	18 x 36	1.68
	137	8268	20 x 40	1.91
	138	8280	20 x 40	2.82
	139	8283X	22 x 44	3.00
	140	8284	16 x 28	1.58
	141	8286	36 x 68	10.08
	142	8287	18 x 36	1.92
	143	8288	20 x 40	2.20
	144	8289	22 x 44	2.61
	145	8290	18 x 36	1.86
	146	8292	22 x 44	2.49
	147	8293	20 x 40	2.74
	148	8294	28 x 56	5.54
	149	8295	16 x 32	1.91
	150	8296	28 x 56	5.17
	151	8303	20 x 40	2.19
	152	8304	15 x 30	1.16
	153	8305	16 x 28	2.21
	154	8310	22 x 44	2.97
	155	8311	22 x 44	2.43
	156	8313	22 x 44	2.47
	157	8316	18 x 36	1.89
	158	8321	14½ x 28	.89
	159	8330	20 x 40	2.01
	160	8331	18 x 36	1.69
	161	8332	20 x 40	2.05
	162	8333	18 x 36	1.71
	163	8336	22 x 44	2.82
	164	8340	18 x 36	2.02
	165	8341	18 x 36	2.04
	166	8342	18 x 36	2.16
	167	8343	22 x 44	3.28
	168	8344	22 x 44	3.23
	169	8350	16 x 28	1.84
	170	8352	16 x 28	1.83
	171	8353	22 x 44	3.30
	172	8354	16 x 28	1.84
	173	8355W	28 x 56	4.61
	174	8355C	28 x 56	4.99
	175	8360W	20 x 42	2.42
	176	8360C	20 x 42	2.68
	177	8361	18 x 36	1.62
	178	8362	20 x 40	1.92
	179	8363	22 x 44	2.40
	180	8364	16 x 27	1.98
	181	8365	22 x 48	4.28
	182	8366	17 x 32	1.18
	183	8370	18 x 32	1.21
	184	8372	18 x 36	1.73
	185	8373	20 x 40	2.05
	186	8374	22 x 44	2.45
	187	8375	22 x 44	2.72
	188	8376	18 x 36	1.83
	189	8380	22 x 44	2.80
	190	8381	18 x 36	1.82
	191	8382	16 x 32	1.21
	192	8383	16 x 32	1.21
	193	8384	18 x 36	2.04
	194	8385	22 x 44	3.00
	195	8386	16 x 27	1.75
	196	8389	18 x 30	1.14
	197	8393	20 x 40	2.69
	198	8394	15 x 26	1.44

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Towels	199	8401	28 x 56	4.24
	200	8406	22 x 44	2.85
	201	8410	18 x 36	1.92
	202	8415	20 x 40	2.74
	203	8421	22 x 44	2.85
	204	8422	16 x 27	1.50
	205	8423	15 x 26	1.08
	206	8424	22 x 44	3.73
	207	8425	16 x 27	1.75
	208	8426	15 x 27	1.55
	209	8430	20 x 40	2.72
	210	8431	22 x 44	3.19
	211	8432	15 x 27	1.50
Bath Mats	212	7	20 x 30	6.91
	213	8	22 x 32	7.01
	214	17	21 x 33	5.14
Wash Cloths	215	15	12 x 12	.55
	216	36	12 x 12	.40
	217	53	12 x 12	.37
	218	61	12 x 12	.42
	219	79	12 x 12	.50
	220	84	13¾ x 14	.91
	221	84A	13¾ x 14	.86
	222	110	12 x 12	.41
	223	115	12 x 12	.52
	224	134	12 x 12	.48
	225	163	12 x 12	.52
	226	7006	12 x 12	.38
	227	7013	12 x 12	.44
	228	7023	12 x 12	.48
	229	7023A	12 x 12	.48
	230	7024	12 x 12	.51
	231	7025	12 x 12	.59
	232	7027	12 x 12	.42
	233	7030	20 x 15	.58
	234	7031	12 x 12	.54
	235	7036	12 x 12	.66
	236	7037	12 x 12	.56
	237	7038	12 x 12	.49
	238	7046	15 x 15	.62
	239	7047	12 x 12	.58
	240	7048	12 x 12	.63
	241	7051	12 x 12	.76
	242	7052	12 x 12	.55
	243	7053	12 x 12	.53
	244	7054	12 x 12	.58
	245	7055	12 x 12	.53
	246	7059	12 x 12	.59
	247	7060	12 x 12	.47
	248	7061	12 x 12	.47
	249	7062	11 x 11	.35
	250	7067	12 x 12	.54
	251	7069	12 x 12	.45
	252	7070	12 x 12	.47
	253	7071	12 x 12	.48
	254	7072	12 x 12	.59
	255	7073	12 x 12	.53
	256	7074	11½ x 11½	.42
	257	7075	12 x 12	.70
	258	7077	12 x 12	.51
	259	7078	12 x 12	.49
	260	7079	12 x 12	.75
	261	7082	12 x 12	.62
	262	7083	12 x 12	.39
	263	7084	12 x 12	.59
	264	7085	12 x 12	.59
	265	7086	12 x 12	.58
	266	7087	12 x 12	.44
	267	7088	12 x 12	.42
	268	7089	12 x 12	.46
	269	7090	12 x 12	.49
	270	7091	12 x 12	.52
	271	7092	11 x 11	.33
	272	7093	11 x 11	.33
	273	7094	12 x 12	.69
	274	7095	12 x 12	.49
	275	7096	11 x 11	.48
	276	7103	12 x 12	.52
	277	7104	12 x 12	.70
	278	7105	12 x 12	.52
	279	7110	12 x 12	.68
	280	7111	12 x 12	.56
Matched sets	281	Mayflower 1	22 x 44	5.14
	282	Mayflower 2	16 x 23	2.55
	283	Mayflower 3	12 x 12	.97
	284	Mayflower 4	22 x 32	8.19
	285	Floral 1	22 x 44	5.14
	286	Floral 2	16 x 23	2.51
	287	Floral 3	12 x 12	.97
	288	Floral 4	22 x 32	8.19
	289	Wildrose 1	22 x 44	4.29
	290	Wildrose 2	16 x 27	2.16
	291	Wildrose 3	12 x 12	.86
	292	Primrose 1	22 x 44	4.29
	293	Primrose 2	16 x 27	2.16
	294	Primrose 3	12 x 12	.86

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Toweling	295	B. R. #1	41	*Per yard* 0.29½
	296	P. W. A. #1	29	.19½
	297	P. W. A. #2	29	.19½
	298	27-T-2C	33	.21
	299	82X	33	.20½
	300	83X	33	.33
	301	109X	32	.19½
	302	804	32	.42
	303	805	33	.43½
	304	806	34	.44½
	305	808	35	.45½
	306	810X	19½	.19½
	307	851B	21½	.20½
	308	783X	19½	.21
	309	784X	20	.21
	310	1620	18	.19½
	311	2015W	18	.17
	312	2015C	18	.17½
	313	2011	22½	.20
	314	4005	20	.19½
	315	4000	18	.14½
	316	5019W	36	.33½
	317	5019C	36	.45½
	318	5022	36	.34
	319	5026	36	.29½
	320	5027	36	.29½
	321	5031	36	.29½
	322	5038	36	.29½
	323	5039	36	.32
	324	5043X	36	.29½
	325	5048	36	.29½
	326	5048A-W	36	.26
	327	5048A-C	36	.32½
	328	5057	36	.29½
	329	5059	36	.29½
	330	5065W	36	.29½
	331	5065C	36	.33½
	332	5070W	36	.29½
	333	5070C	36	.33½
	334	5076W	36	.29½
	335	5076C	36	.33½
	336	5071	36	.27½
	337	5077	36	.27
	338	5084	36	.29½
	339	5085	34	.33½
	340	5087	36	.26
	341	5088	18	.29½
	342	5094	18	.13½

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen)
Toweling	343	9097	26	*Per yard* 0.23½
	344	9098	26	.22½
	345	9099	26	.23
	346	9100	26	.23
	347	9101	26	.23
	348	9102	26	.27
	349	9105	24	.23½
	350	9111	26	.24½

TABLE II—*Name-Woven Institutional Merchandise Towels—Bath Mats*

For name woven in color, the seller may add 15 cents per dozen to the prices set forth below.

For name woven in white across both ends, the seller may add 20 cents per dozen to the prices set forth below.

For turned selvages, the seller may add 15 cents per dozen to the prices set forth below.

For purchases in quantities of 25 dozen or less of a name, the seller may add 10 cents per dozen to the 50-dozen-lot prices set forth below.

The maximum prices set forth in this Table II are to be discounted as follows, for purchases in larger quantities:

Dozen of a name	Cents per dozen less than	Dozen lots
250	5	100
500	10	100
1,000	15	100

Type of merchandise	Reference No.	Style No.	Size (inches)	Maximum price (dollars per dozen) 50 dozen lots	Maximum price (dollars per dozen) 100 dozen lots
TOWELS					
Name woven in white thru center	321	1926	16 x 26	1.93	1.73
			16 x 27	2.01	1.85
			16 x 30	2.23	2.05
			16 x 32	2.39	2.21
	322	1934	20 x 40	5.52	5.37
			22 x 44	6.65	6.50
			24 x 44	7.24	7.09
			24 x 48	7.91	7.75
			25 x 50	8.57	8.42
	323	1935	20 x 40	3.97	3.82
			22 x 44	4.80	4.65
			22 x 48	5.24	5.09
			24 x 48	5.72	5.57
	324	1932	22 x 44	5.86	5.71
			22 x 46	6.15	6.00
			24 x 48	6.97	6.82
			25 x 50	7.65	7.50
	325	1970	22 x 44	6.42	6.27
			24 x 44	7.00	6.85
			24 x 48	7.64	7.49
			25 x 50	8.29	8.14
			27 x 50	8.93	8.78
			27 x 54	9.70	9.55
Bath mat	326	1113	22 x 44	6.33	6.18
Name woven in white thru center	327	117	21 x 33	6.93	6.78
	328	0	29 x 30	7.86	7.71

(29) *Huck and crash towels and corded napkins.* (i) The following maximum prices for huck and crash towels and corded napkins shall be subject to the terms shown in (v) of this subparagraph.

(ii) The maximum prices for seconds of huck and crash towels and corded nap-

kins set forth in (v) of this subparagraph are to be discounted as follows:

Type of merchandise:	*Discount*
Face and hand towels, dish towels and corded napkins (plain)	10 percent.
Toweling (plain)	½ cent per yd.
Name-woven dobby face and hand towels, dish towels, corded napkins and towelings	10 percent.
Jacquard face and hand towels, dish towels, corded napkins and towelings	15 percent.

(iii) For products of any style for which a maximum price is not listed in (v) of this subparagraph, the maximum price shall be a price in line with[21] the maximum price set forth in this subparagraph for the most nearly comparable product of the same manufacturer.

(iv) In addition to the base maximum prices, a seller may charge:

(*a*) For special services a premium not in excess of such extra charge as he made for the same special services during the base period;

(*b*) For cutting and hemming toweling, a premium not in excess of 10 cents per dozen;

(v) The following are maximum prices for the styles of huck and crash towels and corded napkins listed in this subdivision:

(*a*) Cannon Mills Company, Kannapolis, N. C. Terms: 3 per cent 30 days, f. o. b. Kannapolis, N. C.

[21] See footnote 5, § 1400.101, for definition of "in line with".

TABLE I.—PLAIN MERCHANDISE

Reference No.*	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		156	17 x 32	1.35
2		157	18 x 36	1.56
3		160	18 x 36	1.56
4		165	18 x 36	1.51
5		603	15½ x 32	1.30
6		629	17 x 32	1.51
7		633	18 x 36	1.75
8		665	18 x 36	1.73
9		675	14 x 24	.86
10		679	18 x 36	1.57
11		686	16 x 32	1.22
12		687	18 x 36	1.88
13		693	18 x 36	1.67
14		823	16 x 32	1.27
15		853	14 x 24	.91
16		855	14 x 20	.80
	TOWELING			*(Per yard)*
17		219	11½	.09
18		241	18	.14
19		259	17	.15
	DISH TOWELS			*(Per dozen)*
20		113	16 x 28	.96
21		128-8	16 x 30	.96
22		173	16 x 32	1.30
23		174	16 x 32	1.30
24		178	16 x 32	1.30
25		180	17 x 32	1.82
26		190	16 x 32	1.21
27		610	17 x 32	1.82
28		614	17 x 32	1.82
29		618	17 x 32	1.82
30		624	17 x 32	1.81
31		638	17 x 34	1.30
	CORDED NAPKINS			
32		643	17½ x 19½	.88
	MISCELLANEOUS TOWELS			
33		23	13 x 21	.67
34		24	14 x 24	.73
35		632	16 x 32	1.29
36		634	20 x 42	2.36
37		669	17 x 36	1.83
38		835/3	13 x 19	.90

TABLE II—*Name-woven Merchandise*

On all orders for jacquard-name towels, towelings, and corded napkins, the seller may require that the purchaser will accept 10 percent more or less than the quantity specified at the contract price, and that the purchaser will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 15 percent.

On all orders for dobby-name towels, towelings and corded napkins, the seller may require that the purchaser will accept 10 percent more or less than the quantity specified at the contract price, and that the purchaser will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 10 percent.

The maximum prices for jacquard-name huck towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
293	250	7¼	500
	500	10	500
	1,000	12½	500
578, 588 and 898	250	7½	100
	500	10	100
	1,000	12½	100
566	250	10	100
	500	12½	100
	1,000	15	100
590 and 591	250	10	100
	500	12½	100
	1,000	15	100

The maximum prices for jacquard-name huck towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than—	Yard price
578, 588 and 898—17" and 18"	3,000	½	1,500

The maximum prices for dobby-name towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than base price
S-14, 249, 544, 546, 548, 661-17", 661-18", Wearmore-16", Winmore-16", Worthmore-16"	6,000	¼
	10,000	½
	25,000	¾

The maximum prices for jacquard or dobby corded napkins set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
464 and 466	500	2½	250
	1,000	5	250

For name-woven jacquard huck towels the seller may add to the maximum prices set forth in this Table II the following amounts for purchases in the style and weave listed below:

Style No.	Weave	Cents per dozen
578, 588 and 898	Name woven across ends in white.	0.05
	Name woven in color through center.	.10
	Name woven across ends in color.	.15
566	Name woven across ends in white.	.05
	Name woven in color through center.	.10
	Name woven across ends in color.	.15
590 and 591	Name woven in color either through center or across border.	.10

For name-woven jacquard huck towelings the seller may add to the maximum prices set forth in this Table II the following amounts for purchases in the style and weave listed below:

Style No.	Weave	Cents per yard
578, 588, and 836—17" and 18".	Name woven in color through center.	01
	Name woven across ends in white.	½
	Name woven across ends in color.	1½

For jacquard corded napkins with name woven in white the seller shall deduct 5 cents per dozen from the maximum prices set forth in this Table II.

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Basic maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
39		223	17 x 32	$1.01	50 dozen center warp color.
40		550	17 x 32	1.04	100 dozen center warp white.
41		560	18 x 20	2.10	Do.
42		578	15 x 20	1.23	Do.
43		578	17 x 32	1.80	Do.
44		578	18 x 20	2.14	Do.
45		578	19 x 28	2.20	Do.
46		588	15 x 20	1.41	Do.
47		588	17 x 32	2.11	Do.
48		588	18 x 20	2.40	Do.
49		588	19 x 28	2.63	Do.
50		590	15 x 20	1.81	Do.
51		590	17 x 32	2.28	Do.
52		590	18 x 20	2.70	Do.
53		590	19 x 28	3.18	Do.
54		591	15 x 20	1.05	Do.
55		591	17 x 32	2.03	Do.
56		591	18 x 20	3.03	Do.
57		591	19 x 28	3.42	Do.
58		893	15 x 20	1.23	Do.
59		893	17 x 32	1.91	Do.
60		893	18 x 20	2.22	Do.
61		893	19 x 28	2.41	Do.
	TOWELINGS			(per yard)	
62		S-14	16	.12	3000 yards center warp color.
63		240	16	.12	Do.
64		544	16	.12	Do.
65		546	16	.12	Do.
66		548	16	.12	Do.
67		578	17	.16	1500 yards center warp white.
68		578	18	.17	Do.
69		588	17	.18	Do.
70		588	18	.19	Do.
71		661	17	.16	3000 yards center warp color.
72		661	18	.16	Do.
73		893	17	.17	1500 yards center warp white.
74		893	18	.17	Do.
75		Wearmore	16	.12	3000 yards center warp color.
76		Winmore	16	.12	Do.
77		Worthmore	16	.12	Do.
	CORDED NAPKINS			(per doz.)	
78		464 Jacq	17½ x 19½	1.29	200 dozen center warp color.
79		464 Dob	17½ x 19½	1.05	Do.
80		469 Jacq	17½ x 19½	1.31	Do.
81		469 Dob	17½ x 19½	1.16	Do.

(*b*) George Wood Sons & Co., 512 Walnut Street, Philadelphia, Pennsylvania.

Terms: 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain Merchandise*

For dobby name-woven patterns, the seller may add to the maximum prices set forth in this Table I the following amounts for the quantities and colors listed below:

Quantity (yards)	Cents per yard	
	Red, blue or gold lettering	White lettering
25,000 and over	1	¾
10,000 to 25,000	1¼	1
6,000 to 10,000	1½	1¼
3,000 to 6,000	1¾	1½

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		#652 Huck	16 x 32	1.38
2		#748 Huck	14 x 20	.87
3		#836 Huck	18 x 36	1.70
	TOWELING			(*Per yard*)
4		#3 Roller	16	.09
5		#5 Bleached, Red	15	.09
6		#11 Boston	16	.12
7		#165 Grey	16	.07
8		#207 M L Huck	16	.10
9		#268 Honeycomb	16	.08
10		#293 Herringbone	16	.10
11		#306 Check Glass	16	.12
12		#682 Hercules Huck	16	.11
13		#682 Hercules Herringbone	16	.11
14		#823 Blue Twill	16	.10
15		#1306 Girvin	17	.14
16		Emerald	16	.11
17		Erin	16	.12
18		Heavy plain	17	.10
19		League	16	.10
20		Maxine	16	.09
21		Plain Roman	16	.10
22		Super Stripe	17	.11
	CORDED NAPKINS			(*Per dozen*)
23		#377	17 x 18¼	.90
24		#584	17 x 17¼	.77
	MISCELLANEOUS			(*Per yard*)
25		Bureau Scarfing	17	.10
26		Silver Knight	18	.11

(c) Marshall Field and Co. (Manufacturing Division), 82 Worth Street, New York City.

Terms: 2 percent 10 days, 60 extra, f. o. b. Fieldale, Virginia.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		3217	16 x 32	1.41
2		3220	14 x 20	.83
3		3224	14 x 24	.93
4		3265	18 x 36	1.56
5		3300	16 x 32	1.55
6		3302	16 x 32	1.70
7		3305	15 x 30	1.20
8		3325	16 x 32	1.40
9		3408	18 x 36	2.22
10		3411	18 x 36	2.21
11		32121	16 x 32	1.70
12		32165	18 x 36	1.67
13		33133	17 x 34	2.22
	TOWELING			(*Per yard*)
14		1018	18	.15
15		1106	16	.10
16		1146	16	.11
17		1378	18	.12
	DISH TOWELS			(*Per dozen*)
18		3488	16 x 32	1.50
19		3498	16 x 32	1.50
	CORDED NAPKINS			
20		2118	18 x 19	.96

(d) Parker Wilder & Co. (Boott Mills), 40 Worth Street, New York City.

Terms: 2 percent 10 days, 60 extra or 3 percent 10 days, f. o. b. mill, Lowell, Massachusetts.

TABLE I.—*Plain Merchandise.*

For dobby name-woven toweling the seller may add to the maximum prices set forth in this Table I the following amounts for the quantities listed below:

Quantity (yards)	*Cents per yard*
Minimum 5,000	2
5,001 to 10,000	1¾
10,001 to 20,000	1½
20,001 and over	1¼

Reference No.	Type of merchandise	Style No.	Size or width, cut size	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		Boott	18 x 36	1.70
2		do	16 x 32	1.41
3		Boott Solid Color	16 x 27	1.00
4		do	18 x 36	2.31
	TOWELING			(*Per yard*)
5		Boott	13	.11
6		do	16	.13
7		do	18	.15
8		Boott Solid Color	16	.16
9		Boott Solid Color	18	.18
10		A-170	16	.15
11		Argyle	17	.15
12		Argyle Ecru	17	.18
13		A-220	16	.12
	DISH TOWELS			(*Per dozen*)
14		A-220	16 x 32	1.35
15		A-170	16 x 32	1.75
	MISCELLANEOUS TOWELS			
16		Boott Grommet	13 x 20½	.63
17		Boott Bleached Scarfs	18 x 45	2.45
18		Boott Bleached Scarfs	18 x 54	2.90
19		Boott Ecru Scarfs	18 x 45	2.90
20		Boott Ecru Scarfs	18 x 54	3.44
21		Argyle Bleached Scarfs	17 x 45	2.45
22		Argyle Bleached Scarfs	17 x 54	2.90
23		Argyle Ecru Scarfs	17 x 45	2.90
24		Argyle Ecru Scarfs	17 x 54	3.44

(e) Superba Mills, Inc., Hawkinsville, Georgia.
Terms: 3 percent 10 days, or 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		13	18 x 36	1.60
2		220	18 x 36	1.75
3		270	19 x 38	2.18
4		295	16 x 32	1.23
5		272	17 x 35	1.60
6		283	17 x 27	1.09
7		284	19 x 38	2.00
8		285	16 x 32	1.21
9		292	16 x 27	1.03
10		300	18 x 36	1.60
11		400	19 x 38	1.82
12		402	14 x 29	.75
13		409	14 x 24	.85
	TOWELING			(*Per yard*)
14		11	16	.12
15		238	15	.11
16		294	16	.13
17		300	18	.14
18		422	16	.11
19		442	14½	.11
20		458 bleached	16	.12
21		458 unbleached	16	.11
22		460	17½	.10
23		480	16	.11
24		544	20	.11
25		785	16	.10
	CORDED NAPKINS			(*Per dozen*)
26		142	17 x 15½	.73
27		144	17 x 15½	.81

TABLE II—NAME-WOVEN MERCHANDISE

Reference No.	Type of merchandise	Style No.	Size or width	Maximum price (dollars dozen)	Basis quantity of—
	FACE AND HAND TOWELS				
28		52-0	17 x 37	2.23	2,000 dozen.
29		274-A	17 x 39	1.91	2,000 dozen.
30		274-N	17 x 39	2.05	2,000 dozen.
31		274-NE	17 x 39	1.91	2,000 dozen.
32		285-H	16 x 32	1.51	2,000 dozen.
	TOWELING			(*Per yard*)	
33		120-C	16"	.14	20,000 yards.

(*f*) Wellington Sears Co., 65 Worth Street, New York City.
Terms: 3 per cent 10 days or 2 per cent 10 days, 60 extra, f. o. b. Fairfax, Ala.

TABLE I.—*Plain Merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		101	12½ x 27	0.73
2		131	18 x 35	2.15
3		247	18 x 19	.91
4		542	18 x 32	1.62
5		544	18 x 32	1.62
6		548	18 x 32	2.22
7		604	18 x 36	1.62
8		605	18 x 36	1.77
9		607	16 x 32	1.20
10		614	18 x 36	1.72
11		0614	18 x 36	1.72
12		615	18 x 36	1.87
13		617	16 x 32	1.30
14		620	14 x 20	.85
15		622	16 x 32	1.30
16		623	16 x 32	1.40
17		715	18 x 36	1.54
18		718	16 x 32	1.28
19		725	16 x 32	1.33
20		743	16 x 32	1.30
21		744	16 x 32	1.40
22		752	17 x 32	1.43
23		753	14 x 20	.83
24		757	14 x 24	.90
25		765	18 x 36	1.59
26		766	18 x 36	1.69
27		793	18 x 36	1.83
28		928	17 x 36	1.78
29		3231	18 x 36	2.40
	TOWELING			(*Per yard*)
30		Arbutus	16	.10
31		doubledent	16	.10
32		fairfax	16	.10
33		121	12	.09
34		191	15	.09
35		240	18	.14
36		247	13	.10
37		288	16	.11
38		290	16	.10
39		323	12	.09
40		333	14½	.10
41		350	16	.13
42		505	18	.14
	DISH TOWELS			(*per dozen*)
43		551	17 x 32	1.52
	CORDED NAPKINS			
44		921	17½ x 19½	.88
45		921X	17½ x 19½	.98
46		924	17 x 18¼	.83
47		941	17 x 18½	.78

TABLE II—*Name-woven Merchandise*

The seller may require on all orders for jacquard-name towels and toweling that the purchaser will accept 10 percent more or less than the quantity specified and will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 15 percent.

The seller may require on all orders for dobby-name towels and dobby-toweling that the purchaser may accept 10 percent more or less than the quantity specified and will accept seconds not exceeding 10 percent of this total quantity ordered, at a discount of 10 percent.

The maximum prices for jacquard-name huck towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
852, 864 and 876	250	7½	100
	500	10	100
	1,000	12½	100
724, 725 and 726	250	7½	100
	500	10	100
	1,000	12½	100

The maximum prices for jacquard-name huck toweling set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
852, 864 and 876	3,000	½	1,500

The maximum prices for dobby-name crashes set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
16" Fairfax, 16" Arbutus, Styles 315, 430, 469, 306 and 170	10,000	¼	0,000
	25,000	½	0,000

For name-woven jacquard huck towels the maximum prices set forth in this Table II for the style and weave listed below, shall be increased or decreased by the following differentials:

Style No.	Weave	Differential
852, 864 and 876	Name woven in white.	Deduct 10 cents per dozen.
	Name woven across ends.	Add 5 cents per dozen.
724, 725 and 726	Name woven in color.	Add 10 cents per dozen.
	Name woven across ends.	Add 5 cents per dozen.

For name-woven jacquard huck towelings the maximum prices set forth in this Table II for the style and weave listed below, shall be increased or decreased by the following differentials:

Style No.	Weave	Differential
852, 864 and 876	Names woven across ends.	Add ¼ cent per yard.
	Names woven in white.	Deduct 1 cent per yard.

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
48		724	15 x 29	1.23	100 doz.
49		724	17 x 32	1.80	
50		724	18 x 30	2.14	
51		724	19 x 33	2.40	
52		725	15 x 29	1.23	White center name
53		725	17 x 32	1.91	
54		725	18 x 30	2.22	
55		725	19 x 33	2.41	
56		726	15 x 29	1.41	
57		726	17 x 32	2.12	
58		726	18 x 30	2.40	
59		726	19 x 33	2.64	
60		852	15 x 29	1.33	100 doz.
61		852	17 x 32	1.95	
62		852	18 x 30	2.25	
63		852	19 x 33	2.49	Name thru center warp in color.
64		864	15 x 29	1.80	
65		864	17 x 32	2.01	
66		864	18 x 30	2.32	
67		864	19 x 33	2.51	
68		876	15 x 29	1.51	
69		876	17 x 32	2.22	
70		876	18 x 30	2.50	
71		876	19 x 33	2.74	
	TOWELING			(*Per yard*)	
72		Fairfax	16	.12	6,000 yds.
73		Arbutus	16	.12	Name thru center warp in color.
74		170	16	.12	
75		306	16	.12	
76		315	17	.15	
77		430	18	.16	
78		469	16	.12	
79		852	17	.17	1,500 yds.
80		852	18	.17	Name thru center warp in color.
81		864	17	.17	
82		864	18	.18	
83		876	17	.19	
84		876	18	.20	

(g) Woodward Baldwin & Co., 45 Worth Street, New York City. Terms: 2 percent 10 days, 60 extra, f. o. b. mill.

TABLE I.—*Plain merchandise*

Reference No.	Type of merchandise	Style No.	Size or width (inches)	Maximum price (dollars per dozen)
	FACE AND HAND TOWELS			
1		1509	18 x 30	1.67
2		1517	14 x 20	.80
3		1519	14 x 24	.89
4		1523	16½ x 32	1.09
5		1525	18 x 30	1.77
6		1529	17 x 34	1.65
7		1531	18 x 36	1.81
8		1551	14 x 24	.91
9		1569	17 x 32	1.41
10		1584	15 x 30	1.19
11		1590	18 x 30	1.67
12		1670	16 x 32	1.27
	TOWELING			(*Per yard*)
13		2025	12	.09
14		2041	18	.19
15		2048	16	.09
16		2052	16	.10
17		2058	16	.19
18		2035	14½	.19
19		2182	12	.19
20		2200	16½	.03
21		2209	17	.12
22		2211	17	.15
23		2231	12	.09
24		2385	17	.15
25		Dunworth	15	.09
	DISH TOWELS			(*Per dozen*)
26		2182	16 x 29	1.09
27		2184	16 x 29	1.09
28		2180	16 x 29	1.09
	CORDED NAPKINS			
29		1401	17¾ x 15½	.82
30		1403	do	.76
31		1405	do	.83
	MISCELLANEOUS TOWELS			
32		1205	13 x 19	.09
33		1220	14 x 24	.73
34		1235	17 x 50	3.60
35		1099	14½ x 14½	.45
36		1099	14½ x 15½	.75

TABLE II—*Name-woven Merchandise*

The maximum prices for name-woven towels set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Dozen of a name	Cents per dozen less than	Dozen lots
700, 701, 718 and 719	250	2½	100
	500	7½	100
	1,000	10	100
2300, 2304 and 2318	250	7½	100
	500	10	100
	1,000	12½	100

The maximum prices for name-woven towelings set forth in this Table II are to be discounted as follows for purchases in larger quantities of the style numbers listed below:

Style No.	Yards	Cents per yard less than	Yard price
2300, 2304 and 2318	3000	½	1500

The maximum prices for name-woven towels set forth in this Table II may be increased as follows for purchases in the style and quantities listed below:

Style No.	Dozen of a name	Add cents per dozen to	Dozen lots
2300, 2304 and 2318	50	10	100

For name woven in color, the seller may add 10 cents per dozen to the maximum prices set forth in this Table II for name-woven towels.

For name woven across ends, the seller may add 5 cents per dozen to the maximum prices set forth in this Table II for white and colored name-woven towels.

For name-woven toweling in color, the seller may add 1 cent per yard to the maximum prices set forth in this Table II.

For toweling with name woven crosswise, the seller may add ½ cent per yard to the maximum prices set forth in this Table II for white and colored name-woven towelings.

Reference No.	Type of merchandise	Style No.	Size or width	Maximum price (dollars per dozen)	Basis quantity of
	FACE AND HAND TOWELS				
37		700	16 x 32	1.42	100 dozen; center name color.
38		701	16 x 32	1.40	
39		718	16 x 32	1.34	
40		719	16 x 32	1.45	
41		2800	15 x 20	1.23	
42		2800	17 x 32	1.86	
43		2800	18 x 36	2.14	
44		2804	15 x 20	1.28	100 dozen; center name white.
45		2804	17 x 32	1.91	
46		2804	18 x 36	2.22	
47		2818	15 x 20	1.41	
48		2818	17 x 32	2.11	
49		2818	18 x 36	2.40	
	TOWELING			*Per yard*	
50		2800	17	.16	1,500-yard lots; center; name; white.
51		2800	18	.16	
52		2804	17	.16	
53		2804	18	.17	
54		2818	17	.18	
55		2818	18	.19	

(*h*) Fulton Bag & Cotton Mills, Atlanta, Georgia.

Terms: 2% 10 days, 60 extra, f. o. b. mill.

Description: *Maximum Price*

Narrow crash toweling S/16SR, 16" 36x36 6.00 yd..... 8⅞ cents per yd.

(*i*) Huck towels manufactured in accordance with Federal Specification DDD–T–531 (without woven name or colored stripe, or unstamped) 1.73 dollars per dozen, terms, net f. o. b. shipping point.

For stamping, if required by the specifications, a premium of 5 cents per dozen may be added to the maximum price set forth herein.

§ 1400.117 *Effective dates of amendment.* * * *

(j) Amendment No. 10 to Maximum Price Regulation No. 118 (§ 1400.115 (a) (1), (a) (5) (ii) (*l*) and (*n*), (a) (6) and (7), 1400.118 (a) (8), (d) (2) (vii) and (viii), (d) (8) (i), (d) (18) reference numbers 6 through 18h, (d) (22) (ii) (c), (d) (24) (v), (d) (25) (iii) reference number 5, (d) (26) (i) (ii), (v) (*f*) (*h*) and (*i*), (d) (28), (d) (29)) shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8037; Filed, August 17, 1942; 11:54 a. m.]

PART 1410—WOOL

[Amendment 7 to Revised Price Schedule 58,[1] as amended]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 2397, 2543, 2580, 3088, 3271, 4117, 4296, 4299, 4428.

In § 1410.51 (e) (3) the reference to paragraph "(c)" or "(d)" is amended to read "(b)" or "(c)"; in § 1410.63 (h) the reference in the last line to "this paragraph" is amended to read "this appendix"; in § 1410.65 (a) the reference to subparagraphs "(4)" and "(5)" is amended to read "(3)" and "(4)"; in § 1410.65 (c) (6) the reference to paragraph "(b)" is amended to read "(c)".

In § 1410.57 subparagraph (4) of paragraph (a) is amended; in § 1410.64 a new unnumbered paragraph is added to paragraph (e) and a new subparagraph (5) is added to paragraph (f); in § 1410.65 subparagraph (6) of paragraph (c) is amended and a new subparagraph (6) is added to paragraph (d); in § 1410.66 the text preceding (a) is amended and a new paragraph (f) is added as set forth below:

§ 1410.57 *Definitions.* (a) When used in Revised Price Schedule No. 58, as amended, the term:

* * * * *

(4) "Yarns" means yarns containing 10% or more wool by fiber weight except (i) imported yarns and (ii) yarns dyed and converted for the handknitting trade.

§ 1410.64 *Appendix D: Maximum prices for wool yarns.* * * *

(e) *Yarns spun from blended wool and other fibers.* * * *

Where yarns are spun from blended wool and mohair the maximum price shall be a price reduced from the applicable maximum price for yarn spun from wool by the amount thereby saved in raw material cost. The amount saved in raw material cost shall be the difference between the actual price paid for the mohair top used and the maximum price for that portion of wool top for which the mohair is substituted.

(f) *Woolen sales yarns.* * * *

(5) *Woolen sales yarns sold in the scoured state.* For woolen sales yarns sold in the scoured state there shall be added to the applicable maximum price set forth in subparagraphs (1), (2) or (3) of this paragraph an amount equal to the loss due to shrinkage of the yarn and the actual cost for scouring and for packing: *Provided,* That the amount of each such charge shall be separately set forth in an invoice or similar document delivered to the purchaser.

§ 1410.65 *Appendix E: Maximum prices for foreign wools.* * * *

(c) *South American shorn wools scoured in the United States.* * * *

(6) *Invoices.* After June 9, 1942, every person making a sale of South American shorn wools scoured in the United States covered by this paragraph shall deliver to the purchaser an invoice or similar document which shall show: (i) the class, kind, type, condition and grade of wool sold; and (ii) the price contracted, received or paid therefor, indicating separately any adjustments made for processing, for choice or inferior wools or for marine and war risk insurance in conformity with the provisions of this paragraph.

(d) *Australian, New Zealand, South African and other British Wool Control shorn wool.* * * *

(6) *Carbonized, neutralized and dusted wools.* The maximum prices for carbonized, neutralized and dusted wools shall be determined by adding 5 cents to the applicable maximum price set forth in this paragraph (d). The maximum price for wool carbonized only, carbonized and neutralized, or carbonized and dusted shall be reduced to a price in line with the maximum price for the same class, kind, type, condition and grade of wool carbonized, dusted and neutralized.

§ 1410.66 *Appendix F: Maximum for foreign pulled wools.* The prices set forth in paragraphs (a) to (e), inclusive, are maximum prices per pound for foreign pulled wools, other than British Wool Control pulled wools pulled abroad, of average to good character, duty paid, f. o. b. wool pullery or scouring plant. Such prices do not include marine and war risk charges which may be added as set forth in paragraph (e) below. Terms of sale shall be cash less 1% up to 10 days, or 60 days net cash.

* * * * *

(f) *Maximum prices for British Wool Control pulled wools, pulled abroad.* The maximum prices for British Wool Control pulled wools, pulled abroad, shall be determined in accordance with the provisions of paragraph (d) of § 1410.65.

§ 1410.60 *Effective dates of amendments.* * * *

(i) Amendment No. 7 (§§ 1410.51 (e) (3), 1410.57 (a) (4), 1410.63 (h), 1410.64 (e) and (f) (5), 1410.65 (a), (a) (6), (c) (6) and (d) (6), 1410.66 and (f)) to Revised Price Schedule No. 58, as amended, shall become effective August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–8028; Filed, August 17, 1942; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 57 Under § 1499.3 (b) Of General Maximum Price Regulation]

SALES OF WELTING CONTAINING COMPOUNDED SYNTHETIC RESINS

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.271 *Maximum prices for sales of welting containing compounded synthetic resins.* (a) On and after August 18, 1942, Dewey and Almy Chemical Company, incorporated under the laws of the State of Massachusetts, may sell and deliver and offer, agree, solicit and attempt to sell and deliver either directly or through an agent, consignee, or factor that particular type of welting developed by such company, which is made from a fibrous material bound by compounded synthetic resins, and any person may buy said welting, either directly or through an agent, consignee or factor, at prices no higher than those hereinafter set forth:

	Maximum prices $/M yards
Stitchdown welting (used in stitchdown shoes):	
6/32" x 2/32"	$7.00
7/32" x 2/32"	8.00
PM Welting (used on Goodyear welts and pre-welt shoes):	
10/32" x 1/12"	19.00
12/32" x 1/12"	22.95
13/22" x 1/12"	23.75
14/32" x 1/12"	24.75

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March, 1942, on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 57 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 57 (§ 1499.271) shall become effective August 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8041; Filed, August 17, 1942; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 58 Under § 1499.3 (b) of General Maximum Price Regulation [1]]

LARUS & BROTHER COMPANY, INC.

Larus & Brother Company, Inc. of Richmond, Virginia, has made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of a maximum price for a Christmas package of smoking tobacco which it proposes to manufacture for Cambridge Tobacco Company, Inc., of New York, New York. Due consideration has been given to the application and an opinion in support of this order issued simultaneously herewith has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.272 *Authorization of a maximum price for a certain Christmas package of smoking tobacco for Larus & Brother Company, Inc.* (a) On and after August 18, 1942, Larus & Brother, Inc., may sell and deliver to Cambridge Tobacco Company, Inc., and Cambridge Tobacco Company, Inc., may buy and receive from Larus & Brother Inc. a Christmas package of smoking tobacco (consisting of 1⅛ ounces each of Bowl of Roses, Cambridge Arms, Jameson's Irish Mixture, Patterson's Rum and Maple, and Patterson's Honey and Rum packed in individual cardboard containers assembled on a circular tray) at a price no higher than that hereinafter set forth:

$7.40 per dozen Christmas packages less 2% cash discount for payment within 10 days.

(b) This Order No. 58 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 58 (§ 1499.272) shall become effective August 18, 1942. (Pub. Law 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8039; Filed, August 17, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 19 Under § 1499.18 (b) of General Maximum Price Regulation, Docket GF3-25]

PILSER BREWING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.319 *Adjustment of maximum prices for fermented malt beverages manufactured by Pilser Brewing Co. Inc.* (a) Pilser Brewing Co. Inc., of 586 East 161st Street, New York, New York, wholesalers and retailers may sell and deliver and any person may buy and receive from Pilser Brewing Co. Inc., wholesalers and retailers fermented malt beverages manufactured by Pilser Brewing Co. Inc. at prices not higher than those set forth below:

(1) *Pilser Brewing Co. Inc.* The maximum prices established for Pilser Brewing Co. Inc., under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That the adjustments granted with respect to ⅛, ¼ and ½ barrels shall not be applicable to sales to retailers.

(2) *Wholesalers.* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That if the particular wholesaler raised his prices during March, 1942, he may add only the excess, if any, of the adjustments permitted hereunder over his March price increases.

(3) *Retailers.* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation plus one cent for 3 twelve ounce bottles, one cent for each quart bottle, and 2 cents for each half gallon bottle; *Provided,* That such prices as increased shall not exceed 27 cents for 3 twelve ounce bottles, 22 cents for each quart bottle, and 39 cents for each half gallon bottle.

(b) The adjustment granted to Pilser Brewing Co. Inc., wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester, State of New York.

(2) Pilser Brewing Co., Inc., shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 19 (§ 1499.319) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 19 (§ 1499.319) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8029; Filed, August 17, 1942; 11:53 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4738, 5027, 5192, 5276, 4659, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6058, 6081, 6007, 6216.

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Order 20 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket GF3–24]

OLD DUTCH BREWERS INC.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.320 *Adjustment of maximum prices for fermented malt beverages manufactured by Old Dutch Brewers Inc.* (a) Old Dutch Brewers Inc., of 761 East 42d Street, Brooklyn, New York, wholesalers and retailers may sell and deliver and any person may buy and receive from Old Dutch Brewers Inc., wholesalers and retailers fermented malt beverages manufactured by Old Dutch Brewers Inc., at prices not higher than those set forth below:

(1) *Old Dutch Brewers Inc.* The maximum prices established for Old Dutch Brewers Inc., under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

2½ cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

(2) *Wholesalers:* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

2½ cents per case of 24 twelve ounce bottles.
5 cents per case of 12 quart bottles.
5 cents per case of 6 half gallon bottles.
10 cents per one-eighth barrel.
15 cents per one-quarter barrel.
25 cents per one-half barrel.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add the excess, if any, of the adjustments permitted hereunder over his March price increases.

(3) *Retailers.* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation plus one cent for four twelve ounce bottles, one cent for each quart bottle, and 2 cents for each half gallon bottle: *Provided,* That such prices as increased shall not exceed 27 cents for four twelve ounce bottles, 17 cents for each quart bottle, and 39 cents for each half gallon bottle.

(b) The adjustment granted to Old Dutch Brewers Inc., wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester, State of New York.

(2) Old Dutch Brewers Inc., shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 20 (§ 1499.320) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 20 (§ 1499.320) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8040; Filed, August 17, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 21 Under § 1499.18 (b) of the General Maximum Regulation—Docket GF1–498–P]

JAMES HANLEY CO.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.321 *Adjustment of maximum prices for fermented malt beverages manufactured by James Hanley Company.* (a) James Hanley of 35 Jackson Street, Providence, Rhode Island, wholesalers and retailers, may sell and deliver and any person may buy and receive from James Hanley Company, wholesalers and retailers fermented malt beverages manufactured by James Hanley Company at prices not higher than those set forth below:

(1) *James Hanley Company and wholesalers.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation for James Hanley Company and the particular wholesaler respectively plus the following amounts:

4 cents per case of 24 twelve ounce bottles.
10 cents per case of 12 quart bottles.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustment permitted hereunder over his March price increases.

(2) *Retailers.* The maximum prices established under § 1499.2 of the General Maximum Price Regulation for the particular retailer plus 1¢ for 3 twelve ounce bottles and 1¢ for each quart bottle: *Provided,* That such prices as increased shall not exceed 27¢ for 3 twelve ounce bottles and 22¢ for each quart bottle.

(b) The adjustment granted to James Hanley Company, wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted under paragraph (a) shall only be made in the State of Connecticut.

(2) James Hanley Company shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its fermented malt beverages that they may increase their prices as provided in paragraph (a).

(c) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 21 (§ 1499.321) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 21, (§ 1499.321) shall become effective August 18, 1942. (Pub. Law No. 421, 77th Cong.)

Issued this 17th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8030; Filed, August 17, 1942; 11:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of General Permit O.D.T. 17-4] [1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

SUBPART K—MOTOR CARRIERS OF PROPERTY

DELIVERIES TO VESSELS

In General Permit O.D.T. No. 17-4 the reference "§ 501.2878" should read "§ 521.2878" and the reference "§ 501.2879" should read "§ 521.2879". General Permit O.D.T. No. 17-4 is corrected accordingly.

Issued at Washington, D. C., this 14th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7966; Filed, August 14, 1942; 4:46 p. m.]

[General Order O.D.T. No. 18]

PART 500—CONSERVATION OF RAIL EQUIPMENT

SUBPART C—MAXIMUM LOADING OF FREIGHT CARS

By virtue of the authority vested in me by Executive Order No. 8989, issued December 18, 1941, and in order to make available railway cars and other transportation facilities and equipment for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to prevent shortages of equipment necessary for such transportation; to conserve and providently utilize motive power, other transportation facilities and service; and to expedite the movement of freight traffic, the attainment of which purposes is essential to the successful prosecution of the war:

[1] 7 F.R. 5887.

It is hereby ordered, That:

Sec.

AUTHORITY: §§ 500.20 to 500.31, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 500.20 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, municipal corporation, or other type of legal entity, or any trustee, receiver, assignee or personal representative thereof.

(b) The term "rail carrier" means any person engaged in transportation as a common carrier by railroad in any of the several States or the District of Columbia.

(c) The term "closed freight car" means any box car, refrigerator car, stock car, or any other closed railway car, except a tank car, used by a rail carrier for the transportation of freight by rail.

(d) The term "open freight car" means any gondola car or hopper car used by a rail carrier for the transportation of freight by rail.

(e) The terms "freight car" and "car" mean any open or closed freight car.

(f) The term "marked load limit" as applied to a freight car means the maximum carrying capacity of said car by weight as ascertained and marked upon said car according to the rules of the Mechanical Division of the Association of American Railroads.

(g) The term "bulk freight" means any non-liquid, non-gaseous commodity shipped loose or in mass and which in the loading or unloading thereof must be shoveled, scooped, forked, or mechanically conveyed or which is not in containers or in units of sufficient size to permit piece by piece loading or unloading.

(h) The term "non-bulk freight" means any liquid or gaseous commodity enclosed in containers and capable of being loaded or unloaded piece by piece or any other commodity not included within the term "bulk freight."

(i) The term "required capacity" as applied to a freight car means the extent to which such car must be loaded in order to comply with the provisions of this subpart.

§ 500.21 *Maximum loading required.* (a) No rail carrier shall accept for transportation or forwarding or forward, any freight car containing freight which is not loaded to required capacity.

(b) Except as otherwise provided in this subpart, a freight car shall be deemed loaded to required capacity if it is loaded either to its marked load limit or to its full visible capacity, whichever is the lesser.

(c) Notwithstanding any provision of this subpart, no car shall be loaded to such an extent or in such manner as to create a transportation hazard or as to cause damage to the lading. Any freight car subject to the provisions of this subpart shall, however, be deemed loaded to required capacity if in the loading thereof efficient stowage practices are followed and it is loaded to the utmost extent without creating a transportation hazard or causing damage to lading.

(d) Notwithstanding any provision of this subpart, no car, the lading in which is to be refrigerated, heated, or ventilated in such car, shall be loaded to such an extent beyond the refrigerating, heating, or ventilating capacity thereof as to cause abnormal deterioration of the lading. Any such car shall, however, be deemed loaded to required capacity if it is loaded to its full refrigerating, heating, or ventilating capacity.

§ 500.22 *Bulk freight loading.* A closed freight car containing bulk freight shall not be deemed loaded to full visible capacity unless it is loaded up to an elevation 18 inches below the roof of the car measured at its side walls or if the interior walls of such car are partially sheathed or lined but not to said elevation, then to the utmost elevation practicable without overrunning the sheathing or lining.

§ 500.23 *Non-bulk freight loading.* A freight car containing non-bulk freight shall not be deemed loaded to required capacity unless all of the practical stowage space within the limits of its marked load limit or full visible capacity, whichever is the lesser, has been filled with containers, bales, bundles, rolls, reels or pieces of commodities constituting the cargo.

§ 500.24 *Specific commodity loading exceptions; non-bulk freight.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity:

(a) If such car is loaded with non-bulk freight consisting of any one or more of the following commodities: grain products, grain byproducts, cereal food preparations, vegetable oil meal, all in containers, and vegetable oil cake, to a minimum weight of 60,000 pounds or to full visible capacity;

(b) If such car is a closed freight car and is loaded with non-bulk freight consisting of any one or more of the following wood products: lumber, shingles, lath, box and crate material and other kindred wood products, up to an elevation 12 inches below the roof of the car measured at its side walls.

§ 500.25 *Specific commodity loading exceptions; bulk freight.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity:

(a) If such car is loaded with bulk freight consisting of any one or more of the following commodities: corn or maize (not popcorn) in the ear (shucked or not shucked), oats, unground screenings, sorghum grains in the heads and unthreshed, to 80 per cent of the marked load limit of the car or up to an elevation 24 inches below the roof of the car measured at its side walls or to its full practicable space capacity;

(b) If such car is loaded with bulk freight consisting of shelled corn or maize, threshed sorghum grains or grains other than those mentioned in the next preceding paragraph, to the car's marked load limit or up to an elevation 24 inches below the roof of the car measured at its side walls or up to the lawfully marked grain line of a car so marked or when loaded to full practicable space capacity;

(c) If such car is a closed freight car and is loaded with bulk freight consisting of coal to 80 per cent of the car's marked load limit or if the interior walls of such car are partially sheathed or lined to an elevation insufficient to permit such loading without overrunning the sheathing or lining, then to the utmost elevation practicable without causing such overrunning.

§ 500.26 *Miscellaneous loading exceptions.* Any car subject to the provisions of this subpart shall be deemed loaded to required capacity if it contains freight loaded and moving under and in accordance with "clean-out" or "remnant" rules or "gathering rates and rules" established in applicable tariffs.

§ 500.27 *General exceptions.* This subpart shall not apply:

(a) to cars containing shipments of merchandise as defined in, and loaded in accordance with, General Order O.D.T. No. 1[1] or any amendments or revisions thereof or supplements thereto issued by the Office of Defense Transportation;

(b) to shipments in cars which because of construction or design cannot be interchanged with other carriers under MCB rules;

(c) to shipments in cars containing principally airplanes, marine equipment, armament, artillery, munitions, parts thereof, tools and machinery therefor, or materials used in the production thereof shipped by or consigned to any military, naval or lend lease agency of the United States;

(d) to shipments of cotton and cotton linters, in bales.

(e) to a shipment of any commodity which has been allocated or limited by an order of an agency of the United States Government in such quantity as to preclude shipment of an amount sufficient to meet the maximum loading requirements of this subpart;

(f) to shipments shipped by or consigned to any establishment of the United States Army, Coast Guard, Marine Corps or Navy;

(g) to shipments by any rail carrier of its own material or equipment over its own lines;

[1] 7 F.R. 3046, 3213, 3753.

(h) to shipments of explosives and other dangerous articles as defined and listed in Part 2 of "Regulations for Transportation of Explosives and Other Dangerous Articles"[2] adopted by the Interstate Commerce Commission by order of August 16, 1940, effective January 7, 1941, in Docket No. 3666, pursuant to the provisions of Title 18, Sec. 383, U. S. Code, or on pages 42 to 57, inclusive, of Agent W. S. Topping's Freight Tariff No. 4, I. C. C. No. 4, and amendments thereof or supplements thereto, if the provisions thereof coincide with the provisions of said Part 2.

(i) to any shipment accepted for transportation or forwarding or forwarded as authorized by, and in accordance with, any general or special permit issued by the Office of Defense Transportation in its discretion to meet or overcome an unusual condition or situation in which compliance with this subpart is impractical or impossible without materially hampering the production or distribution of essential war materials, or without loss of transportation efficiency, or would impose undue hardship upon an industry or community;

(j) to shipments as authorized by and in accordance with any special permit issued without unreasonable or undue discrimination or preference by the general manager or division superintendent of the initial rail carrier in a specific case where, in his sound judgment, because of the unusual character of the lading or of unusual circumstances or of undue car detention, he believes compliance with the maximum loading provisions of this subpart would result in the inefficient use, or unduly retard the efficient use, of cars or locomotives. Recurrence of like or similar cases must be covered by special or general permit issued by the Office of Defense Transportation. Weekly reports of all special permits issued by general managers or division superintendents of each rail carrier shall be made to the Office of Defense Transportation by the vice-president in charge of operations of each such rail carrier upon forms prescribed by the Office of Defense Transportation.

§ 500.28 *Maximum loading; consignor's certificate.* (a) When a freight car is loaded by a consignor or on his behalf by any agent other than a rail carrier, such consignor, or his authorized agent shall certify on the bill of lading and shipping instructions that such car has been loaded in accordance with the requirements of this subpart, or if the shipment contained in such car falls within any of the general exceptions mentioned in § 500.27 of this subpart he shall specify the governing exception, and if the shipment is authorized under the terms of a special or general permit issued in accordance with paragraphs (i) and (j) of § 500.27 of this subpart he shall refer upon the bill of lading and shipping instructions to such permit by number or other identification. The form of certificate hereby required shall be as prescribed by the Office of Defense Transportation.

(b) When more than one carload consignment is loaded in a single car as contemplated by the provisions of § 500.30, the consignor, or any agent other than a rail carrier in his behalf, who completes loading of the car, shall comply with the requirements of paragraph (a) of this § 500.28.

§ 500.29 *Stop-offs to complete loading and for partial unloading.* (a) Every rail carrier upon reasonable demand by a shipper or consignor of a car and upon reasonable terms, conditions, and charges, shall permit a single stop of such car in transit to complete loading in accordance with § 500.21 of this subpart, and permit an additional stop in transit for partial unloading: *Provided,* That no such carrier is required to permit such stops in connection with shipments of:

(1) Bulk freight;

(2) Livestock or other live animals or live poultry;

(3) Freight consigned to order, or to order notify or otherwise so consigned as to require surrender of bill of lading, written order, or any other document in advance of delivery;

(4) Freight moving without recourse on the consignor or under instructions against its delivery without collection of freight and other lawful charges as provided in the uniform bill of lading;

And, provided further, That no such carrier is required to permit such stops at any prepay or non-agency station.

(b) Any such car while in movement from point of initial loading to stop-off point for additional loading and from stop-off point for partial unloading to final destination shall be exempt from the loading requirements of this subpart.

(c) Nothing in this § 500.29 shall be deemed or construed to limit or restrict any stop-off privileges presently authorized and provided for in rail carrier tariffs on file but, subject to the exceptions contained in § 500.27 of this subpart, such privileges shall be accorded only when the freight car employed is loaded to capacity while in movement from the point of loading or completion of loading to the point of unloading or of first partial unloading.

§ 500.30 *Consolidation of shipments in a single car.* (a) Notwithstanding the provisions of § 500.21 of this subpart, any carrier, or any consignor or consignors, not exceeding three, may consolidate and ship in a single car from one or more points of origin, but not exceeding three such points, two or more carload consignments of the same or different commodities moving at the same or different rates or ratings to one or more, but not exceeding three, consignees at one or more, but not exceeding three, destination points, each of which consignments shall be considered and treated for the purpose of applying rates and charges and rendering transportation service as if shipped in a single car: *Provided,* That:

(1) Between the point of completion of loading of such car and the point of initial unloading, the car is loaded to required capacity,

(2) The character of any portion of the cargo is not of such nature as to contaminate or damage other lading in the car,

(3) Each intermediate point at which a consignment is loaded or unloaded is directly intermediate by way of the direct route of movement of the car from the origin point of the initial consignment to the final destination of such car: *And provided further,* That none of the consolidation services above provided for need be extended or rendered at any prepay or non-agency station.

(b) In computing the rates and charges upon such consignments, each consignment shipped in the car shall be considered, treated as, and the charges computed as for, a separate carload shipment subject to the applicable carload minimum weight on each shipment from the point of origin of such consignment to its destination.

(c) Nothing in this § 500.30 shall be deemed or construed to require the extension or rendering of the consolidation services above provided for in connection with shipments of:

(1) Bulk freight;

(2) Livestock or other live animals or live poultry;

(3) Freight consigned to order, or to order notify, or otherwise so consigned as to require surrender of bill of lading, written order, or any other document in advance of delivery;

(4) Freight moving without recourse on the consignor or under instructions against its delivery without collection of freight and other lawful charges as provided in the uniform bill of lading.

§ 500.31 *Filing rate publications, rates not to be increased.* Every rail carrier required by law to file tariffs of rates, charges, rules or practices shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect only for the duration of the present emergency unless otherwise ordered, tariffs or appropriate supplements to filed tariffs setting forth any changes in the rates and charges, rules, regulations, or practices of such rail carrier which may be necessary to enable such carrier, consistently with appropriate statutes, to comply with the provisions of this subpart, together with a copy of this subpart; and shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one-day's, or the absolute minimum period of, notice. Nothing in this subpart shall be deemed or construed as requiring or sanctioning the revision, amendment, change, or alteration of established

[2] 5 F.R. 4905.

carload minima or as requiring or approving increases in transportation rates.

Paragraph (i) of § 500.27 and § 500.31, hereof shall become effective upon the date of issuance of this subpart and shall remain in full force and effect until the further order of this Office.

All other sections and provisions hereof shall become effective on the 15th day of September, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C. this 15th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-7982; Filed, August 15, 1942; 11:21 a. m.]

[General Order O.D.T. 19]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART G—MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and in order to assure maximum utilization of the facilities, services, and equipment of carriers of liquid cargo in bulk by water craft for the preferential transportation of materials of war and to prevent shortages of equipment necessary for such transportation, as contemplated by section 6 (8) of the Interstate Commerce Act; to expedite the movement and provide for the maximum flow of such traffic; and to conserve and providently utilize the transportation facilities and services of carriers by water craft, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.
502.60 Definitions.
502.61 Permit required.
502.62 Application for permit.
502.63 Vessels subject to control.
502.64 Records and reports.
502.65 Suspension of provisions.
502.66 Exemptions.
502.67 Effective date.

AUTHORITY: §§ 502.60 to 502.67, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.60 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, association, governmental corporation, or other type of legal entity or any trustee, receiver, assignee, or personal representative thereof.

(b) The term "vessel" means any water craft or other artificial contrivance of whatever description which is designed or converted for use, and which is used, or is capable of being, or is intended to be used, as a means of transportation by water of liquid cargo in bulk.

(c) The term "domestic transportation" means transportation by water of property between points and places in the United States.

§ 502.61 *Permit required.* No person shall operate any vessel in domestic transportation except in the transportation of such property, from and to such points and places, as may be authorized by general or special permit issued by the Office of Defense Transportation.

§ 502.62 *Application for permit.* Application for permit shall be made in writing to the Office of Defense Transportation and shall be in such form and contain such information as the Office of Defense Transportation shall require.

§ 502.63 *Vessels subject to control.* Every person, upon direction of the Office of Defense Transportation, shall cause any and all vessels operated in domestic transportation, of which such person may have possession or control, to be moved to such loading points, for transportation of such commodity or commodities, to be assigned for loading, to be loaded, unloaded or used in such service, at such times, between such ports, as the Office of Defense Transportation may direct, from time to time, notwithstanding any existing contract, charter, lease, or other commitment, express or implied, for use or service other than that directed: *Provided, however,* That, except as required by a direction or order of the Office of Defense Transportation, this subpart shall not be construed to cancel or modify any contract, charter, lease, or other agreement with respect to vessels or rights arising out of vessel ownership.

§ 502.64 *Records and reports.* Every person owning, chartering, subchartering, leasing, subleasing, loading, unloading, or operating a vessel shall keep such records and make such reports as the Office of Defense Transportation shall require.

§ 502.65 *Suspension of provisions.* The provisions of this subpart or any part thereof may be suspended, from time to time, by order of the Office of Defense Transportation.

§ 502.66 *Exemptions.* The provisions of this subpart shall not apply:

(a) To nationals of a friendly nation with respect to vessels not documented under the laws of the United States;

(b) To the transportation by vessel of property consigned by or to the United States or any department or agency thereof;

(c) To any vessel owned, controlled, or operated by the United States or any department or agency thereof except governmental corporations.

§ 502.67 *Effective date.* This subpart shall become effective on the 10th day of September 1942, and shall remain in full force and effect until further order of the Office of Defense Transportation.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8035; Filed, August 17, 1942; 11:48 a. m.]

[Suspension Order O.D.T. 19-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS, AND PERMITS

SUBPART G—MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

Pursuant to the authority conferred by General Order O.D.T. No. 19,[1] Title 49, Chapter II, Section 502.65.

It is hereby ordered, That:

§ 522.700 *Suspension Order 19-1.* The provisions of § 502.61 of General Order O.D.T. No. 19 shall be and are hereby suspended until further order with respect to the transportation of:

(a) Crude petroleum and petroleum products from any port or shipping point via the Gulf of Mexico or the Gulf Intracoastal Waterway to a destination east or north of the shipping point;

(b) Crude petroleum from points and places west of milepost 200 on the Gulf Intracoastal Waterway to points west of shipping point and east of milepost 300 on the Gulf Intracoastal Waterway;

(c) Crude petroleum from producing oil fields to refining centers located within 60 miles from point of origin;

(d) Crude petroleum and petroleum products northward and eastward along the Atlantic coast, by sea or by the Atlantic Intracoastal Waterway and adjacent and tributary waters, for delivery to any destination in the Atlantic seaboard area of the United States, except northward on the Hudson river above Peekskill;

(e) Petroleum products from Baton Rouge, Louisiana, to New Orleans, Louisiana, for export or for shipment eastward and northward pursuant to the provisions of paragraphs (a) and (d);

(f) Crude petroleum and petroleum products northward on the Mississippi river as far as its junction with the Ohio river and eastward and northward on the Ohio river and its tributaries;

(g) Crude petroleum and petroleum products from the confluence of the New York State barge canal system with the Hudson river generally northward on the Hudson river to the head of navigation and generally southward on the Hudson river to New York harbor points;

(h) Crude petroleum and petroleum products from any point or place on the Great Lakes to Buffalo or Oswego, New York, or to points on the New York State barge canal system including points on the Hudson river;

(i) Crude petroleum and petroleum products eastward on the New York State barge canal system;

(j) Crude petroleum and petroleum products on the Pacific ocean and waters adjacent and tributary thereto;

(k) Crude petroleum and petroleum products between points in the same harbor when the point of destination is not more than 35 miles distant by water from the point of origin. (E.O. 8939, 6

[1] *Supra.*

F.R. 6725; General Order O.D.T. No. 19, this issue)

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8034; Filed, August 17, 1942; 11:48 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 24]

WYOMING

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and from leasing under the mineral leasing laws, and the minerals in the lands are reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SIXTH PRINCIPAL MERIDIAN

T. 31 N., R. 117 W.,
Secs. 4 to 9, inclusive, unsurveyed.
T. 32 N., R. 117 W.
Secs. 5 to 8, inclusive, unsurveyed;
Secs. 17 to 20, inclusive, unsurveyed;
Secs. 29 to 32, inclusive, unsurveyed.
T. 33 N., R. 117 W.,
Secs. 3 to 11, inclusive, unsurveyed;
Secs. 14 to 22, inclusive, unsurveyed;
Secs. 26 to 35, inclusive, unsurveyed.
T. 34 N., R. 117 W.,
Secs. 27 to 34, inclusive, unsurveyed.
T. 31 N., R. 118 W.,
Secs. 1 to 4, inclusive, unsurveyed;
Secs. 9 to 12, inclusive, unsurveyed.
T. 32 N., R. 118 W.,
Secs. 1 and 2, unsurveyed;
Sec. 4, W½, unsurveyed;
T. 32 N., R. 118 W.,
Sec. 5, E½, unsurveyed;
Sec. 8, E½, unsurveyed;
Sec. 9, W½, unsurveyed;
Secs. 11 to 14, inclusive, unsurveyed;
Sec. 16, W½, unsurveyed;
Sec. 21, all, unsurveyed;
Secs. 23 to 28, inclusive, unsurveyed;
Secs. 33 to 36, inclusive, unsurveyed.
T. 33 N., R. 118 W.,
Sec. 1, E½E½;
Sec. 11, SE¼SE¼;
Sec. 12, E½E½ and W½SW¼;
Sec. 13, NE¼NE¼, NW¼NW¼, and SE¼SE¼;
Sec. 14, lots 1, 2 and 3, NE¼ and S½S½;
Sec. 23, W½E½ and W½;
Sec. 24, N½ and SE¼;
Sec. 25, E½;
Sec. 26, W½E½ and W½;
Sec. 34, E½E½;
Sec. 35, W½;
Sec. 36, NE¼ and E½SE¼.
T. 34 N., R. 118 W.,
Sec. 36, E½E½.
T. 26 N., R. 119 W.,
Secs. 6, 7, 18, and 19.
T. 27 N., R. 119 W.,
Secs. 18, 19, 30, and 31.

The areas described, including both public and non-public lands, aggregate 61,082 acres.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 11, 1942.

[F. R. Doc. 42-7975; Filed, August 15, 1942; 9:23 a. m.]

CONSOLIDATED OIL CORPORATION, ET AL.

NOTICE OF AND ORDER FOR HEARING

The Secretary of the Interior having heretofore on April 16, 1942, issued an order to the Consolidated Oil Corporation, Standard Oil Company (Indiana) and various subsidiary and affiliated companies thereof to show cause:

(1) Why the present rate of 70½ cents per barrel charged for transporting oil from the Salt Creek area (by way of Ft. Laramie, Wyoming) to the vicinity of Salt Lake City, Utah, via Stanolind-Utah pipe line, as compared to the proportionately lower rates charged by Stanolind Pipe Line Company from Welch, Wyoming, to Sugar Creek, Missouri, Whiting, Indiana, and Wood River, Illinois, as well as from and to other points, should not be considered as unreasonable and discriminatory;

(2) Why the refusal of the Sinclair Refining Company, a common carrier by pipe line, to accept and convey oil at a reasonable rate from the Salt Creek area, Wyoming, to Parco, Wyoming, for transfer at the latter point to the pipe line of the Utah Oil Refining Company, should not be considered as discriminatory and in violation of the terms of the respective rights of way granting acts;

(3) Why the Sinclair Refining Company and the Utah Oil Refining Company should not be required to establish and maintain appropriate facilities at Parco, Wyoming, for the transfer or transportation of oil at that point between their respective pipe lines and to establish a reasonable and nondiscriminatory joint rate for the transportation of oil from the Salt Creek field, Wyoming, to the vicinity of Salt Lake City, Utah; and

The several companies to whom the order to show cause was addressed having filed responses thereto in which they challenge the jurisdiction of the Department of the Interior over them in any of the matters set out in the show cause order and having requested that a hearing be granted to them;

It is ordered that an oral hearing on the question of the jurisdiction of the Department of the Interior in the matters set out in the order to show cause be held on September 3, 1942, at 10 a. m. in Room 5160, Interior Building, Washington, D. C.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 13, 1942.

[F. R. Doc. 42-7976; Filed, August 15, 1942; 9:23 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

LOGGING AND SAWMILL, ETC., OPERATIONS

NOTICE OF PROPOSED AMENDMENT OF HAZARDOUS-OCCUPATIONS ORDER

AUGUST 17, 1942.

Whereas the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 4 (6 F.R. 3148, June 28, 1941), effective August 1, 1941, providing that all occupations in logging and in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill, excepting certain specified occupations, are particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas a supplementary investigation has been made which reveals that shortages of labor are limiting production of lumber needed for war purposes, and

Whereas such supplementary investigation also reveals that certain of the above occupations are not as highly hazardous as other occupations covered by such order, and

Whereas it appears that the production of lumber needed for war purposes will be aided by the employment of minors between 16 and 18 years of age in such occupations, and

Whereas, the Chief of the Children's Bureau proposes to issue an order in the form set forth below amending Hazardous Occupations Order No. 4 by adding paragraph (e) to § 422.4 of such order,

Now, therefore, notice is hereby given that any interested person may, within twenty days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the chief of the Children's Bureau, United States Department of Labor, Washington, D. C., written objections thereto. Any person filing such objections may, within ten days from the date of such filing, file a memorandum or brief in support thereof. Any interested person may secure a copy of the report of the Children's Bureau entitled "Occupational Hazards to Young Workers: Supplementary Investigation of the Sawmilling Industry" upon request made to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

Proposed Order

It is ordered that § 422.4 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to

include the following paragraph, to be designated as paragraph (e):

(e) Notwithstanding the provisions of paragraph (a) of this section, during the continuance of the present war and for six months after the termination thereof this order shall not apply to saw filing, except in connection with logging operations; packing shingles; straightening, marking, tallying, or pulling lumber from the dry chain, the drop sorter, or the green chain (other than the pulling of lumber larger than 1 inch by 6 inches in size from the green chain); unstacking from the dry kiln; clean-up in the lumber yard; or the handling or shipping of dry lumber or of lumber products in yards or sheds of sawmills, lath mills, shingle mills, or cooperage-stock mills excepting the operation of cranes, lumber carriers, and other power-driven equipment, and the occupation of crane hooker.

This amendment shall become effective upon publication in the FEDERAL REGISTER and shall remain in force during the continuance of the present war and for six months after the termination thereof, or until amended or repealed by order hereafter made and published by the Chief of the Children's Bureau, whichever is earlier.

[SEAL] KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 42-8026; Filed, August 17, 1942; 11:39 a. m.]

Wage and Hour Division.

[Administrative Order No. 150]

CANDY AND RELATED PRODUCTS MANUFACTURING INDUSTRY

APPOINTMENT OF INDUSTRY COMMITTEE NO. 47

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the Candy and Related Products Manufacturing Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Paul F. Brissenden, Chairman, New York, New York; Mrs. Glen E. Plumb, Chicago, Illinois; Leland J. Gordon, Granville, Ohio; Robert P. Brooks, Athens, Georgia; E. B. Alderfer, Drexel Hill, Pennsylvania.

For the employees: Martin Kyne, New York, New York; A. A. Myrup, Washington, D. C.; William Schnitzler, Newark, New Jersey; James Cross, Chicago, Illinois; Barney Henley, Charleston, South Carolina.

For the Employers: Amelio Obici, Wilkes-Barre, Pennsylvania; A. F. Dirksen, Chicago, Illinois; Herman L. Heide, New York, New York; Theodore White, San Francisco, California; Carl E. Gill, Dorchester, Massachusetts;

2. For the purpose of this order the term "candy and related products manufacturing industry" means:

The production of candies and related products, including, but without limitation, stuffed fruits; candied, crystallized or glace fruits and fruit peels; candied popcorn; salted, sugared or roasted nuts; chocolate and cocoa products; marshmallow crème; and chewing gum: *Provided*, That the shelling and cleaning of nuts are excluded except where the operations are performed in plants also engaged in the further processing of nuts.

3. The definition of the candy and related products manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet at 10:00 a. m. on September 3, 1942 in the College Room of the Hotel Astor, New York City, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 14th day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8015; Filed, August 17, 1942; 11:07 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446)

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective August 17, 1942. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Parksley Garment Co., Cassatt Ave. & Bennett St., Parksley, Virginia; Men's underwear; 5 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of July 27, 1943.)

Elite Neckwear Co., Inc., 106 Essex St., Boston, Massachusetts; Neckties; 2 learners (T); August 17, 1943.

Stan-Lou Corp., Philadelphia Ave., Egg Harbor, New Jersey; Men's clothing; 7 learners (T); August 17, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheeplined Garments Divisions of the Apparel Industry

Boston Blouse Co., 75 Kneeland St., Boston, Massachusetts; Women's Blouses; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of November 3, 1942.)

W. L. Cressman, Milford Square, Pennsylvania; Men's trousers; 3 learners (T); August 17, 1943.

Joseph A. Daniels Co., 52 12th St., Fall River, Massachusetts; Women's dresses and aprons; 10 learners (T); August 17, 1943.

Dott Sportwear Co., 14th & Market Sts., Pottsville, Pennsylvania; Ladies' waists and blouses; 10 learners (T); August 17, 1943.

Elgin Dress Co., 19 North Spring St., Elgin, Illinois; Ladies cotton garments; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of February 26, 1943).

Gem Frock Co., 445 North Darien St., Philadelphia, Pennsylvania; Children's dresses; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of October 16, 1942).

Helmer Mfg. Co., Ore St., Bowmanstown, Pennsylvania; Dresses; 10 learners (T); August 17, 1943.

Helmer Mfg. Co., Ore St., Bowmanstown, Pennsylvania; Dresses; 15 learners (E); February 17, 1943.

Hilb & Co. Mfg. Division, 1731 Arapahoe St., Denver, Colorado; Slack suits, skirts; 5 learners (T); August 17, 1943.

Hostess Frocks, Inc., 45 East John St., Hicksville, New York; Dresses; 10 learners (T); August 17, 1943.

Joy Undergarments Co., 64 Main St., Englishtown, New Jersey; Ladies lingerie; 3 learners (T); August 17, 1943.

Leading Lady Slip Corp., 400 Walnut St., Yonkers, New York; Ladies rayon slips, panties; 10 learners (T); February 17, 1943.

Meyrowitz Brothers, 40th St., Union City, New Jersey; Men's shirts; 4 learners (T); August 17, 1943.

The Monarch Co., 383½ Whitehall St., S. W., Atlanta, Georgia; Boys' trousers, dress suits, jackets, etc.; 10 percent (T); August 17, 1943.

Nunnally & McCrea Co., 292 Lambert St., Atlanta, Georgia; Pants & trousers; 50 learners (T); February 17, 1943.

Onyx Blouse Co., Inc., Long Ave., Orwigsburg, Pennsylvania; Boys shirts and blouses; 10 learners (T); August 17, 1943.

Onyx Blouse Co., Inc., Valley St., New Philadelphia, Pennsylvania; Boys shirts and blouses; 10 learners (T); August 17, 1943.

Onyx Blouse Co., Inc., 474 North Center St., Pottsville, Pennsylvania; Boys and men's shirts and blouses; 10 learners (T); August 17, 1943.

S. R. L. Mfg. Co., 127 East 9th St., Los Angeles, California; Ladies mannish tailored shirts; 5 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of July 23, 1943).

E. R. Smock, Inc., 17 Lewis St., Eatontown, New Jersey; Women's pajamas; 3 learners (T); August 17, 1943.

Stylerite Dress Co., 510 1st Ave., North, Minneapolis, Minnesota; Dresses; 10 learners (T); August 17, 1943.

Uni Sportswear Co., 210 West Van Buren St., Chicago, Illinois; Cotton gabardine jackets, shirts, etc.; 10 learners (T); February 17, 1943. (This certificate replaces the one bearing the expiration date of September 23, 1942).

Villa Dress Co., 15 South Spring St., Elgin, Illinois; Ladies & misses dresses; 7 learners (T); August 17, 1943.

Westboro Underwear Co., 50 Milk Street, Westboro, Massachusetts; Women's cotton nightgowns, pajamas, slips and bloomers; 10 learners (T); August 17, 1943. (This certificate replaces the one bearing the expiration date of October 13, 1942).

Westwood Sportswear, 3429 South Main St., Los Angeles, California; Slack suits, skirts, slack pants; 5 learners (T); August 17, 1943.

Cigar

Alles & Fisher, Inc., 349 Shawmut Ave., Boston, Massachusetts; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

Consolidated Cigar Corp., 5–15 North Cherry St., Poughkeepsie, New York; Cigars; 25 learners (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

Consolidated Cigar Corp., 737 Cortlandt St., Perth Amboy, New Jersey; Cigars; 27 learners (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., Water & Russell Sts., South River, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Water & Russell Sts., South River, New Jersey; Cigars; 4 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 154 W. Church St., Nanticoke, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., 154 W. Church St., Nanticoke, Pennsylvania; Cigars; 11 learners (T); Stripping machine operators to have a learning period of 160 hours at 75 percent of applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 217 Somerset St., New Brunswick, New Jersey; Cigars; 5 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 217 Somerset St., New Brunswick, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Anthracite Ave., Kingston, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Anthracite Ave., Kingston, Pennsylvania; Cigars; 35 learners (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 715 No. 4th St., Allentown, Pennsylvania; Cigars; 61 learners (T); Cigar machine operators to have a learning period of 320 hours at 75 percent of the applicable minimum wage; September 23, 1942. (This certificate effective August 13, 1942).

General Cigar Co., 715 No. 4th St., Allentown, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

General Cigar Co., Johnstone & Neville Streets, Perth Amboy, New Jersey; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have learning period of 160 hours at 75 percent of the applicable minimum wage; August 12, 1943. (This certificate effective August 13, 1942).

M & N Cigar Manufacturers, Inc., 922 Woodland Ave., Cleveland, Ohio; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

F. X. Smith's Sons Co., 372 North St., McSherrystown, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators and packers to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

H. E. Snyder Cigar Co., Inc., Fourth St., Perkasie, Pennsylvania; Cigars; 10 percent (T); Cigar machine operators to have a learning period of 320 hours and stripping machine operators to have a learning period of 160 hours at 75 percent of the applicable minimum wage; August 16, 1943.

Gloves

Fulton Embroidery Works, 28½ East Pine St., Gloversville, New York; Leather dress and knit fabric gloves; 5 learners (T); August 17. 1943.

Hosiery

Evenknit Hosiery Mills, 108 North Walnut St., Bay City, Michigan; Full-fashioned hosiery; 5 learners (T); August 17, 1943.

Fox Chase Knitting Mills, Inc., 27 Jarrett Ave., Rockledge, Pennsylvania; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Hellam Hosiery Co., Church & Beaver Sts., Hellam, Pennsylvania; Full-fashioned hosiery; 5 learners (T); August 17, 1943.

Interwoven Stocking Co., Morristown, Tennessee; Seamless hosiery; 5 percent (T); August 17, 1943.

Koonts Hosiery Mill, Route 3, Lexington, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Miller White Hosiery Mill, Taylorsville, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Pasquotank Hosiery Co., Sixth St., Elizabeth City, North Carolina; Seamless hosiery; 5 learners (T); August 17, 1943.

Prim Era Hosiery Mills, Inc., Chester, Illinois; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Siler City Hosiery Co., Smith St. & High School Ave., Siler City, North Carolina; Full-fashioned hosiery; 5 percent (T); August 17, 1943.

Knitted Wear

Dorco Knitting Mills, Inc., 1310 North Lawrence St., Philadelphia, Pennsylvania; Knitted outerwear; 3 learners (T); August 17, 1943.

Utica Knitting Co., Mill No. 1, 1712 Erie St., Utica, New York; Knitted underwear; 15 learners (E); February 17, 1943.

Telephone

Lebanon Telephone Co., 40 Sherman St., Lebanon, Oregon; To employ learners as commercial switchboard operators at its Lebanon, Oregon Exchange at Lebanon, Oregon (T); August 17, 1943.

Textile

American Yarn & Processing Co., Union Branch, Maiden, North Carolina; Cotton yarn; 4 learners (T); August 17, 1943.

American Yarn & Processing Co., Madora Branch, Mount Holly, North Carolina; Cotton yarn; 3 percent (T); August 17, 1943.

American Yarn & Processing Co., Mount Holly, North Carolina; Cotton Yarn; 3 percent (T); August 17, 1943.

American Yarn & Processing Co., Mount Holly, North Carolina, Adrian Branch; Mfg. cotton thread; 3 percent (T); August 17, 1943.

Bonat Bedspread Co., 503 Broadway, New York, New York; Bedspreads; 3 learners (T); February 17, 1943.

Gastonia Combed Yarn Corp., Armstrong Plant, S. Marietta St., Gastonia, North Carolina; Cotton; 3 percent (T); August 17, 1943.

Gastonia Combed Yarn Corp., Clara Plant, S. Oakland St., Gastonia, North Carolina; Cotton; 3 percent (T); August 17, 1943.

Gastonia Combed Yarn Corp., Dunn Plant, East Fifth Ave., Gastonia, North Carolina; cotton; 3 percent (T); August 17, 1943.

Groves Thread Co., Inc., Gastonia, North Carolina; manufacturing and processing cotton yarns; 3 percent (T); August 17, 1943.

Indiana Cotton Mills, Washington St., Cannelton, Indiana; Sheetings, drill and duck; 3 percent (T); August 17, 1943.

Lonsdale Co., Blackstone Mill, Tripp St., North Smithfield, Rhode Island; Lawn, wind resistant broadcloth, wind resistant poplin and nurses uniform poplin; 3 percent (T); August 17, 1943.

Small Brothers Mfg. Co., 37 Hillside St., Fall River, Massachusetts; Manufacturing of braids; 3 percent (T); August 17, 1943.

Signed at New York, N. Y., this 15th day of August 1942.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-8017; Filed, August 17, 1942; 11:03 a. m.]

[Administrative Order No. 151]

ORDER DESIGNATING CORNELIUS J. DANAHER AS REPRESENTATIVE

Designating Cornelius J. Danaher, Commissioner, Connecticut Department of Labor and Factory Inspection, as authorized representative to grant or deny applications for special certificates for the employment of handicapped workers, and to cancel such special certificates.

By virtue of, and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, William B. Grogan, Acting Administrator of the Wage and Hour Division, Department of Labor, hereby designate Cornelius J. Danaher, Commissioner, Connecticut Department of Labor and Factory Inspection, as my authorized representative, with full power and authority to grant or deny applications for special certificates for the employment of handicapped workers, and to sign, issue and cancel special certificates authorizing the employment of handicapped workers pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29—Labor, Chapter V—Wage and Hour Division, Part 524.

Signed at New York, New York, this 7th day of August, 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-8016; Filed, August 17, 1942; 11:07 a. m.]

OFFICE OF THE ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 51]

VESTING INTEREST OF UEBERSEE FINANZ-KORPORATION, A. G., ET AL., IN CONTRACT WITH AMERLAGENE, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title and interest of Ubersee Finanz-Korporation, A. G., (Overseas Finance Corporation, Limited) and/or Arnhold and S. Bleichroeder, Inc., a New York corporation, in and to that certain contract executed under date of October 18, 1940 by and between said Arnhold and S. Bleichroeder, Inc., and Amerlagene, Inc., a Delaware corporation,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

All income, profits and other property heretofore accrued or which may hereafter accrue to Ubersee Finanz-Korporation, A. G., (Overseas Finance Corporation, Limited) and Arnhold and S. Bleichroeder, Inc., a New York corporation, or either of them, by virtue of the aforesaid contract dated October 18, 1940,

is part and parcel of the property hereinbefore described in subparagraph (a), but determining that to the extent, if any, that it is not, it is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (a)] belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that they be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national

[1] 7 F.R. 5205.

interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such returns should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 10, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7887; Filed, August 13, 1942; 10:00 a. m.]

[Vesting Order No. 70]

997 SHARES OF THE CAPITAL STOCK OF MIDLAND INVESTMENT COMPANY

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

997 shares of $100 par value common capital stock of Midland Investment Company, an Illinois corporation, registered in the name of and owned by L. Zuleikha von Vietinghoff, whose last known address was represented to the undersigned as being 10a Corneliustrasse, Berlin, Germany; and

All right, title and interest of the aforesaid L. Zuleikha von Vietinghoff in and to three additional shares of such stock, one such share being registered in the name of Edwin H. Cassels, a second in the name of Edward H. Carus, and the third in the name of Karl Gruenwald;

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7888; Filed, August 13, 1942; 10:00 a. m.]

[Vesting Order No. 72]

98 SHARES OF THE CAPITAL STOCK OF JOHANN MARIA FARINA, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,[1] and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

98 shares of no par value common capital stock of Johann Maria Farina, Inc., a New York corporation, owned by Franz Karl von Bock, whose last known address was represented to the undersigned as being Cologne, Germany,

is property of, and represents control of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of such nationals are persons not within a designated enemy country such persons are controlled by or acting for or on behalf of or as cloaks for a designated enemy country or a person within such country, and the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7889; Filed, August 13, 1942; 10:01 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 723]

UNIVERAL AIR FREIGHT CORP.

NOTICE OF ORAL ARGUMENT

In the matter of certain activities of Universal Air Freight Corporation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1002 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on August 26, 1942, at 2:30 p. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Consti-

[1] 7 F.R. 5205.

[1] 7 F.R. 5205.

tution Avenue NW., Washington, D. C., before the Board.

Dated, Washington, D. C., August 14, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-8014; Filed, August 17, 1942; 10:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6074]

PORT ARTHUR COLLEGE

ORDER DENYING PETITION, ETC.

In re application of Port Arthur College (KPAC) Port Arthur, Texas for modification of license.

At a general session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of August, 1942;

Upon consideration of the petition filed May 19, 1942, by Port Arthur College (KPAC), Port Arthur, Texas, for grant without hearing of the above-described application;

It is ordered, That said petition be, and the same is hereby, denied;

It is further ordered, That the issues heretofore released on the application be, and the same are hereby, amended to read as follows:

1. To determine whether the granting of the application would be consistent with the Standards of Good Engineering Practice, particularly as to transmitter location.

2. To determine the nature, extent and character of the interference which the operation of station KPAC as proposed herein would cause to Mexican Stations XESJ, at Saltillo, Coah.; XEDL, at Hermosillo; XEDK, at Guadalajara; and XETF, at Vera Cruz.

3. To determine whether the operation of KPAC, as proposed, would be consistent with the provisions of the North American Regional Broadcasting Agreement.

4. To determine the areas and populations served by KPAC as now operated and the areas and populations which would be served by the operation of Station KPAC, as proposed, as well as the broadcast service available thereto.

5. To determine whether in view of the foregoing, public interest, convenience or necessity would be served by granting the application.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[R. F. Doc. 42-8007; Filed, August 17, 1942; 10:07 a. m.]

[Docket No. 5972]

JOE L. SMITH, JR. (WJLS)

NOTICE OF HEARING

In re application of Joe L. Smith, Jr., (WJLS), dated February 8, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Beckley, West Virginia; operating assignment specified: frequency 560 kc., power 100 w. night, 250 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

2. To determine the extent of any interefence which would result from the simultaneous operation of Station WJLS as proposed herein and Station WCHS.

3. To determine the areas and populations which may be expected to lose primary service particularly from Station WCHS, should Station WJLS operate as proposed herein and what other broadcast service is available to these areas and populations.

4. To determine whether the radiating system complies with the Standards of Good Engineering Practice particularly with reference to the minimum height requirements for 560 kc.

5. To determine the areas and populations which may be expected to gain primary service from the operation of Station WJLS as proposed and what other broadcast service is available to these areas and populations.

6. To determine the areas and populations which would lose primary service from Station WJLS if this application is granted, and what other broadcast service is available to these areas and populations.

7. To determine whether Station WJLS operating as proposed herein would provide a minimum field intensity of 25 to 50 mv/m over the business district of Beckley, West Virginia.

8. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice and proper allocation of broadcast facilities (Footnote 4, Page 3, Standards of Good Engineering Practice).

9. To determine whether the granting of this application would be consistent with the policy set forth in the Commission's Memorandum Opinion of April 27, 1942.

10. To determine whether, in view of the foregoing, the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Mr. Joe L. Smith, Jr., Radio Station WJLS, 608 Woodlawn Avenue, Beckley, West Virginia.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-8003; Filed, August 17, 1942; 10:07 a. m.]

[Docket No. 6384]

METRO-GOLDWYN-MAYER STUDIOS, INC. (K 61 LA)

NOTICE OF HEARING

In re application of Metro-Goldwyn-Mayer Studios, Inc. (K 61 LA), dated February 10, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Los Angeles, California; Operating assignment specified: Frequency, 46,100 kcs.; coverage: 7,000 square miles; power, hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit No. B5-PH-90, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit No. B5-PH-90, was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit No. B5-PH-90 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Metro-Goldwyn-Mayer Studios, Inc., 1540 Broadway, New York, New York.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8009; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6386]

ST. LOUIS UNIVERSITY (K51L)

NOTICE OF HEARING

In re application of St. Louis University (K51L), dated July 2, 1942, for modification of construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; operating assignment specified; frequency, 45,100 kcs.; coverage: 13,000 square miles; power, ____; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Comsion's Rules of Practice and Procedure.

The applicant's address is as follows: St. Louis University, 221 North Grand Avenue, St. Louis, Missouri.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8010; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6389]

KTRH BROADCASTING CO.

NOTICE OF HEARING

In re application of KTRH Broadcasting Company (New), dated March 30, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1,606, 2,074, 2,102, 2,758 kcs.; emission: A-3; power, 50 w. night; 50 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KTRH Broadcasting Company, Main and Texas Streets, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8011; Filed, August 17, 1942; 10:08 a. m.]

[Docket No. 6390]

KTRH BROADCASTING CO.

NOTICE OF HEARING

In re application of KTRH Broadcasting Company, (New), dated March 30, 1942, for construction permit; Class of service, relay broadcast; Class of station, relay broadcast; Location, Houston, Texas; Operating assignment specified: Frequency, 30820, 33740, 35820, 37980 kcs.; power 3 w. night; 3 w. day; hours of operation, unlimited—§ 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KTRH Broadcasting Company, Main and Texas Streets, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8012; Filed, August 17, 1942; 10:09 a. m.]

[Docket No. 6391]

HOUSTON PRINTING CORP.

NOTICE OF HEARING

In re application of Houston Printing Corporation (New), dated February 28, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1646, 2090, 2190, 2830 kcs., emission: A-3; power, 100 w. night; 100 w. day; hours of operation, § 4.24.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Houston Printing Corporation, 2318 Polk Avenue, Houston, Texas.

Dated at Washington, D. C., August 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-8013; Filed, August 17, 1942; 10:09 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-162]

AUGUST 13, 1942.

NEW YORK STATE NATURAL GAS CORPORATION

ORDER FIXING DATE FOR RESUMPTION OF HEARINGS

It appearing to the Commission that:

(a) Hearings in these proceedings were adjourned on July 10, 1940, subject to call upon forty-eight hours' notice;

(b) The public interest requires that this matter be reconvened and disposed of at an early date;

The Commission *orders* that:

The hearings in these proceedings be resumed on August 31, 1942, at 9:45 o'clock a. m. (E. W. T.) in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 42-7981; Filed, August 15, 1942; 9:24 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order O.D.T. No. B-13]

BOSTON, MASS.—ST. STEPHEN, N. B.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Eastern Greyhound Lines of New England (Division of The Greyhound Corporation), Cleveland, Ohio, Boston & Maine Transportation Company, Boston, Massachusetts, and Maine Central Transportation Company, Portland, Maine, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Eastern Greyhound Lines of New England, Boston & Maine Transportation Company and Maine Central Transportation Company (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Boston, Massachuetts, and St. Stephen, New Brunswick, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against any of such carriers.

2. Eastern Greyhound Lines of New England shall suspend service on its routes between Boston, Massachusetts, and Concord, New Hampshire, and between Portland, Maine, and Belfast, Maine, and forthwith, shall file with the Interstate Commerce Commission and the appropriate state regulatory bodies a notice describing the routes to be suspended in compliance herewith. It shall operate no service between Belfast, Maine, and Bangor, Maine.

3. Boston & Maine Transportation Company shall operate a through service of not to exceed nine round trips daily between Boston, Massachusetts, and Portland, Maine. Eastern Greyhound Lines of New England shall operate a through service of not to exceed seven round trips daily between such points.

4. Maine Central Transportation Company shall operate a through service of not to exceed three round trips daily between Portland, Maine, and Bangor, Maine, via Augusta, Maine. Eastern Greyhound Lines of New England shall operate a through service of not to exceed two round trips daily between such points.

5. Maine Central Transportation Company and Eastern Greyhound Lines of New England shall each operate a through service of not to exceed one round trip daily between Bangor, Maine, and St. Stephen, New Brunswick.

6. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 25, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN, *Director of Defense Transportation.*

[F. R. Doc. 42-8032; Filed, August 17, 1942; 11:48 a. m.]

[Special Order O.D.T. No. B-14]

FORT WAYNE, IND.—TERRE HAUTE, IND.

MOTOR VEHICLE PASSENGER SERVICE COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Indiana Railroad Company, Indianapolis, Indiana, A. B. C. Coach Lines, Inc., Fort Wayne, Indiana, and Pennsylvania Greyhound Lines, Inc., Cleveland, Ohio, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Indiana Railroad Company, A. B. C. Coach Lines, Inc., and Pennsylvania Greyhound Lines, Inc. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Fort Wayne, Indianapolis, and Terre Haute, Indiana, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial,

without preference or discrimination for or against any of such carriers.

2. Pennsylvania Greyhound Lines, Inc. shall restrict its operations between Indianapolis, Indiana, and Terre Haute, Indiana to through schedules extending beyond Terre Haute. Local schedules between such points shall be operated by Indiana Railroad Company.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective August 25, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 17th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8033; Filed, August 17, 1942; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order No. 6—Maximum Price Regulation No. 148[1]—Dressed Hogs and Wholesale Pork Cuts, Docket No. 3148-9]

HUMPHREY SUPPLY COMPANY

PETITION FOR ADJUSTMENT GRANTED

On April 30, 1942, the Humphrey Supply Company, Reno, Nevada, filed a protest to Temporary Maximum Price Regulation No. 8 which was denied as a protest and refiled on June 17, 1942, as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 6 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Humphrey Supply Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive such kinds of wholesale pork cuts at such prices from the Humphrey Supply Company.

	Cents per pound
(b) Regular hams smoked	35
Skinned hams smoked	36
Picnics fresh or frozen	26
Picnics smoked	29½
Smoked bacon	31½

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 6 shall become effective August 17, 1942.

Issued this 15th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8004; Filed, August 15, 1942; 12:25 p. m.]

[Order 14 Under Supplementary Regulation 1[1] To General Maximum Price Regulation]

TOPLIS AND HARDING, INC.

ORDER APPROVING REGISTRATION

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling damaged commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Toplis and Harding, Inc., 116 John Street, New York, New York.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Toplis and Harding, Inc., New York, New York, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplemetary Regulation No. 1.

(b) This Order No. 14 shall become effective August 18, 1942.

Issued this 17th day of August, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8036; Filed, August 17, 1942; 11:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 60-19, 37-28]

TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORP. ET AL.

ORDER DISMISSING PROCEEDINGS; ORDER OF SEVERANCE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of August, A. D. 1942.

In the Matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, Gilbert Associates, Inc., File No. 60-19, and Atlantic Utility Service Corporation, File No. 37-28.

The Commission, on July 15, 1942, having instituted proceedings, *In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and Gilbert Associates, Inc.*, pursuant to sections 2 (a) (8) (B), 2 (a) (11) (D), 12 (f), 13 (b), 13 (e), 13 (f), and 18 of the Public Utility Holding Company Act of 1935, and having consolidated the same with proceedings on the application of Atlantic Utility Service Corporation for approval as a mutual service company; and

Due notice having been given, hearings having been held in these matters and the Commission having entered its opinion in regard thereto;

It is hereby ordered, That the proceedings in these matters heretofore consolidated be and hereby are severed.

It is further ordered, That the proceedings instituted by the Commission, *In the Matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation* and *Gilbert Associates, Inc.*, (File 60-19) be and hereby are dismissed, without prejudice to the institution of further or new proceedings in such matter, as may be warranted in the public interest and in the interest of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7980; Filed, August 15, 1942; 9:21 a. m.]

[File No. 70-576]

NEW ENGLAND POWER SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August 1942.

New England Power Service Company, a subsidiary service company of New England Power Association, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 7 thereof, concerning the following transaction:

The borrowing from banks from time to time of sums not exceeding in the

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3821, 4342.

[2] 7 F.R. 971.

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3158, 3486, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366.

aggregate more than $500,000 at one time and the issuing therefor a note or notes to mature in not more than six months, the funds so to be borrowed to be used solely to finance work under war contracts. Said notes will be either unsecured or secured by an assignment of claims for money due under any or all of said war contracts, and will be issued upon such reasonable terms and conditions as will enable New England Power Service Company to obtain the necessary funds economically and expeditiously.

Said declaration having been filed on July 12, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to permit said declaration to become effective and finding with respect to said declaration under section 7 of said Act that the requirements of section 7 (c) of said Act are satisfied and that no adverse findings are necessary under section 7 (d) of said Act:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, that the aforesaid declaration be and hereby is permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and to the further condition set forth by declarant in the amendment of its declaration filed August 6, 1942, that any net profits resulting from work under the war contracts shall inure to the benefit of the operating subsidiaries of the holding-company system serviced by declarant, such profits to be disposed of only after prior approval of this Commission, jurisdiction being reserved herein and pursuant to sections 13 and 15 of said Act, to insure the carrying out of this condition in an appropriate manner.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7979; Filed, August 15, 1942; 9:21 a. m.]

[File No. 70-573]

BROCKTON EDISON CO., ET AL

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of August 1942.

In the Matter of Brockton Edison Company, Montaup Electric Company, Blackstone Valley Gas and Electric Company, and Fall River Electric Light Company.

Brockton Edison Company (hereinafter called Brockton), Montaup Electric Company (hereinafter called Montaup) and Blackstone Valley Gas and Electric Company (hereinafter called Blackstone), all subsidiaries of Eastern Utilities Associates, a registered holding company, and Fall River Electric Light Company (hereinafter called Fall River), a subsidiary of New England Power Association, a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 10 and 12 (d) thereof, concerning the following transactions:

(1) The issue and sale by Brockton of $1,900,000 of 10-year 3% notes to the New England Mutual Life Insurance Company and John Hancock Mutual Life Insurance Company under a trust indenture between Brockton and Old Colony Trust Company, Boston, Massachusetts, as Trustee.

(2) The issue and sale by Montaup to Brockton of 12,750 shares of its common stock at par ($100 per share). Montaup will use the proceeds thereof to reimburse itself for expenditures heretofore made for capital additions and to provide a portion of funds required to complete such additions. Inasmuch as the rights to subscribe to these 12,750 shares will in the first instance accrue to Blackstone, Brockton and Fall River pursuant to an agreement among them, Montaup will issue warrants entitling these companies to subscribe to the 12,750 shares as follows:

	Shares
Blackstone	4,347,170
Brockton	2,390,603
Fall River	6,090,223

Blackstone and Fall River will thereupon assign their subscription warrants to Brockton without consideration, and Brockton will acquire and exercise such subscription rights, in addition to its own.

(3) Of the $1,900,000 to be received by Brockton from the sale of the said notes, $1,275,000 will be invested in common stock of Montaup as above indicated. Of the remaining $625,000, $460,000 will be applied by Brockton to the payment of short-term bank loans incurred providing funds for capital additions, and $165,000 will be used to reimburse Brockton for funds previously used for capital additions and now needed to maintain a minimum cash position.

(4) The issuance and sale by Montaup to Blackstone of 30,000 shares of its common stock in payment of a $3,000,000 note of Montaup now held by Blackstone. This is being done pursuant to a provision in said note whereunder said note is convertible at the option of either Montaup or Blackstone into common stock of Montaup at the rate of one share of such common stock for each $100 principal amount of such note.

Said applications and declarations having been filed on July 8, 1942, and the last amendment thereto having been filed on August 11, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said declarations within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to grant said applications and to permit said declarations to become effective, and finding with respect to said applications and declarations under section 10 of said Act that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) and that the transactions involved have the tendency required by section 10 (c) (2);

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid applications as amended be and hereby are granted and the aforesaid declarations as amended be and hereby are permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reason set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7978; Filed, August 15, 1942; 9:22 a. m.]

[File No. 70-546]

MISSOURI EDISON CO. AND EAST MISSOURI POWER CO.

ORDER APPROVING APPLICATIONS SUBJECT TO CERTAIN CONDITIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 13th day of August, A. D., 1942.

Missouri Edison Company and East Missouri Power Company having filed a joint application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for an exemption from the provisions of section 6 (a) of the Act with respect to the following transactions:

a. Missouri Edison Company proposes (1) to issue and sell privately to The Connecticut Mutual Life Insurance Company $550,000 principal amount of its 3¾% first mortgage bonds to be dated January 1, 1942 and due January 1, 1967 at an approximate price of 101.52% of their principal amount ($558,378.87) plus accrued interest to date of delivery, and (2) to issue and sell privately to American National Bank and Trust Company of Chicago $70,000 principal amount of its 3% Serial Unsecured Notes payable over a six and one-half year period in twenty-five quarterly payments of $2,250 each and a final payment of $13,750. The company proposes to apply the proceeds of such sales, together with other of its moneys to the extent required, to the redemption at par plus accrued interest of its total outstanding 5½% First Mortgage Gold Bonds, 1927 Series, in the principal amount of $636,700, due December 1, 1947.

b. East Missouri Power Company proposes to issue and sell privately to The Connecticut Mutual Life Insurance Com-

pany $218,000 principal amount of its 3¾% first mortgage bonds to be dated January 1, 1942, and due January 1, 1967, at an approximate price of 105.02% of their principal amount ($228,951.13) plus accrued interest to date of delivery. The company proposes to apply the proceeds of such sale, together with other of its moneys to the extent required, to the redemption at 104 plus accrued interest, of its total outstanding 5% first mortgage bonds, Series A, due March 1, 1956 in the principal amount of $218,000.

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said applications as amended be, and the same hereby are, approved, subject, however, to the conditions prescribed in Rule U-24 and to the following further conditions:

1. Missouri Edison Company shall not declare or pay any dividend on any shares of its common stock (other than dividends payable solely in shares of its common stock) or make any distribution upon any shares of its common stock or purchase or otherwise retire any shares of its common stock, except out of earned surplus earned subsequent to December 31, 1941; and until all of the serial unsecured notes in the aggregate principal amount of $70,000 proposed to be issued by Missouri Edison Company shall be fully paid (without replacement in whole or in part by any debt security), no such dividend, payment, distribution, purchase or retirement shall be made unless the earned surplus earned subsequent to December 31, 1941 remaining after such payment, distribution, purchase or retirement, shall be equal to the greater of (a) the aggregate principal amount of serial unsecured notes of the company which shall have matured, or (b) fifty per cent of the aggregate net income earned subsequent to December 31, 1941, available (except for this restriction) for the payment of common dividends.

2. Missouri Edison Company shall, within 30 days from the date of the issuance and sale of its mortgage bonds and serial notes, eliminate the $120,000 of write-up presently reflected in its utility plant and common stock accounts by (a) a charge to common stock account and a credit to capital surplus account of $120,000, respectively, and (b) concurrently therewith a charge to capital surplus account and a credit to utility plant account of $120,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-7977; Filed, August 15, 1942; 9:22 a. m.]

[File No. 70-588]

THE NORTH AMERICAN COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 14th day of August, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company; and

Notice is hereby given that any interested party may, not later than August 27, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested parties are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

The declarant, The North American Company, a registered holding company, proposes to pay on October 1, 1942, a dividend to its holders of common stock of record on September 5, 1942. Such dividend will be payable in the capital stock of The Detroit Edison Company, owned by declarant at the rate of one share of capital stock of The Detroit Edison Company on each fifty shares of common stock of the declarant outstanding. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 31 cents for each 1/50th of a share of stock of The Detroit Edison Company. The declarant estimates that to pay the above mentioned dividend it will have to distribute not more than 155,000 shares of the 452,298 shares of the capital stock of The Detroit Edison Company owned by it; that the amount of cash to be distributed in lieu of fractional shares of such capital stock will not exceed $325,000; and the payment of this dividend will result in a charge to earned surplus of approximately $4,100,000.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 42-8018; Filed, August 17, 1942; 11:14 a. m.]